



AGENDA

City Council Budget Workshop at 4:00 p.m.

Long Beach City Council Meeting

Regular City Council November 4, 2013 at 7:00 p.m.

Long Beach City Hall - Council Chambers

115 Bolstad Avenue West

4:00 PM CALL TO ORDER

*The Budget Workshop will begin at 4:00 PM covering the Current Expense Fund, Pizza for dinner.-TAB – A
WS 13-16 – Code enforcement issues – TAB - B*

7:00 PM CALL TO ORDER; PLEDGE OF ALLEGIANCE; AND ROLL CALL

Call to order	Mayor Andrew, Council Member Linhart, Council Member Maxson,
And roll call	Council Member Perez, Council Member Murry, and Council Member Phillips

CONSENT AGENDA - TAB - C

All matters, which are listed within the consent section of the agenda, have been distributed to each member of the Long Beach City Council for reading and study. Items listed are considered routine by the Council and will be enacted with one motion unless a Council Member specifically requests it to be removed from the Consent Agenda to be considered separately. Staff recommends approval of the following items:

- Minutes, May October 21, 2012 Regular City Council meeting.
- Payment Approval List for Warrant Registers 53520 - 53562 & 72231 – 72276 for \$150,947.87

BUSINESS

- **AB 13-44 – Abatement of 301 and 308 Ocean Beach Blvd N – TAB – D**

ORAL REPORTS

- | | | | | |
|---|--------------|-------|--------------------|------------------|
| • | City Council | Mayor | City Administrator | Department Heads |
|---|--------------|-------|--------------------|------------------|

CORRESPONDENCE AND WRITTEN REPORTS – TAB – E

- **Correspondence – Sales and Lodging Tax Collections**
- **Correspondence – Memo from Community Development Director All Terrain Vehicles**
- **Correspondence – Medical Marijuana reform**
- **Business License – Flees R Us; Ocean Park**
- **Business License – Walls Solutions LLC; 1603 Pacific Ave N**

FUTURE CITY COUNCIL MEETING SCHEDULE

The Regular City Council meetings are held the 1st and 3rd Monday of each month at 7:00 PM and may be preceded by a workshop commencing at 6:00 PM.

November 18 – 7:00 pm – City Council Meeting

December 3 – 7:00 pm – City Council Meeting

PUBLIC COMMENT

At this time, the Mayor will call for any comments from the public on any subject whether or not it is on the agenda for any item(s) the public may wish to bring forward and discuss. Preference will be given to those who must travel. **Please limit your comments to five minutes. The City Council does not take any action or make any decisions during public comment.** To request Council action during the Business portion of a Council meeting, contact the City Administrator at least one week in advance of a meeting.

ADJOURNMENT

American with Disabilities Act Notice: The City Council Meeting room is accessible to persons with disabilities. If you need assistance, contact the City Clerk at (360) 642-4421 or advise City Clerk at the meeting.

TAB

A

TAB

A

City of Long Beach

2014 Proposed Budget

CURRENT EXPENSE - 001

DESCRIPTION	Proposed 2014 Budget	2013 Estimated	2013 Budget	2012 Actual	2011 Actual	2010 Actual
Revenues						
BEGINNING FUND BALANCE	180,187	60,695	136,995	38,546	52,967	244,747
TOTAL BEGINNING FUND BALANCE	180,187	60,695	136,995	38,546	52,967	244,747
TAXES						
PROPERTY TAXES (1% Increases)	400,970	397,000	397,000	449,535	395,596	371,602
SALES TAX	370,000	385,000	370,500	370,112	352,629	371,467
BUS. TAXES CABLE TV	21,000	24,000	20,000	18,119	19,312	20,094
BUS. TAX - TELEPHONE	50,000	47,850	47,500	53,271	47,669	47,661
BUS. TAX - PUD	115,000	115,000	110,000	116,974	108,656	105,139
BUS. TAXES - WATER	115,000	125,000	115,000	144,980	113,739	132,361
BUS. TAX - STORM WATER	10,000	5,000	10,000	21,246	9,695	11,597
PROPERTY TAXES - Uncollected						
REET - Moved to fund 003						
GAMBLING TAX	20,000	19,250	20,000	18,160	20,878	16,136
TOTAL TAXES	1,101,970	1,118,100	1,090,000	1,192,395	1,068,175	1,076,057
LICENSES & PERMITS						
BUSINESS LICENSES	54,500	55,000	58,400	53,183	58,456	58,526
BUILDING PERMITS - LONG BEACH	28,000	24,000	30,000	17,564	33,043	24,971
BUILDING PERMIT - ILWACO	12,950	16,000	8,500	13,266	6,528	16,408
VARIANCES & MISC. PLANNING	1,500	1,000	1,000	2,065	920	2,220
USE 322.10.02	-		1,000		400	1,150
WEAPONS PERMIT	350	450	100	402	96	-
FIRE INSPECTIONS	-					
TOTAL LICENSES & PERMITS	97,300	96,450	99,000	86,480	99,443	103,275
INTERGOVERNMENTAL REVENUE						
CTED GMA GRANT	-					
LOCAL LAW ENF. BLOCK GRANT	-					
ILWACO COURT CONTRACT	-		-	4,741	-	2,213
ILWACO JAIL FEES	2,000	1,800	-	840	3,065	1,811
PUD PRIVILEGE TAX	15,000	14,428	10,000	13,913	8,632	13,067
JIS REIMBURSEMENT-COMPUTERS	-					2,050
LOCAL GOVERNMENT ASSISTANCE	-					-
STREAMLINED SALES TAX	10,900	10,500	10,500	10,170	10,658	10,485
CRIMINAL JUSTICE-HI CRM	1,200	1,000	1,500	702	711	-
CRIMINAL JUSTICE-LOC-POP	500	750		250		
CTED GMA GRANT						
CRIM JUS-POP	-	-	2,000	1,759	2,288	2,294
CRIM JUS-DCD #1	-	-	500	288	616	-
CRIM JUS-DCD #2	-	-		592		
DUI - CITIES	300	200	300	260	301	285

City of Long Beach

2014 Proposed Budget

CURRENT EXPENSE - 001

DESCRIPTION	Proposed 2014 Budget	2013 Estimated	2013 Budget	2012 Actual	2011 Actual	2010 Actual
LIQUOR EXCISE TAXES	6,200		12,000	5,134	7,017	7,606
LIQUOR BOARD PROFITS	13,036	13,036	-	13,856	9,722	12,279
TOTAL INTERGOVERNMENTAL REV.	49,136	41,714	36,800	52,504	43,010	52,090
CHARGES FOR SERVICES						
CIVIL FILINGS, LAW LIBRARY						-
WARRANT COSTS	1,500	100	1,500	1,243	1,529	1,636
DEF PROS ADM CS		50		66		-
COPY/TAPE FEES	100	10	100	486	193	8
FIRE PROTECTION SERVICES	300	300	300	-	328	304
RECORDS CHECK FEE		350				
ADULT PROB. CHGS.	500	400	500	1,250	666	340
SNTNC COMPL FEE	1,800	2,400	1,800	2,337	2,319	1,949
CURRENT EXPENSE		4		15		
LEWIS & CLARK BRICKS						-
TOTAL CHARGES FOR SERVICES	4,200	3,614	4,200	5,397	5,035	4,237
FINES & FORFEITS						
MUNICIPAL COURT FINES						
JIS/TRAUMA & LOCAL JIS ACCNT.	150	45	150	90	131	589
LOCAL/JIS ACCOUNT	600	250	600	983	385	1,252
TRAFFIC INFRACTION	3,500	3,250	3,500	4,668	3,967	4,884
LEGIS ASSMNT		230		374		
NON-TRAFFIC INFRACTION		-		-	-	17
CRIME VICTIMS	10	-	10	-	10	14
OTHER INFRACTIONS	250	75	250	52	217	244
PARKING INFRACTION	30	-	30	90	30	210
PARKING - HANDICAP	-	-	-			
DUI FINES	400	175	400	270	72	63
CRI CNV FEE DUI		25				
CRI CONV FE CT		50				
CRIMINAL TRAFFIC MISD.	150	400	150	-	51	334
CRIMINAL TRAFFIC MESDEMEANOR	1,500	800	1,500	965	1,116	1,214
CNTY DRUG BUY	800	300	800	366	518	992
CITY DRUG BUY	800	300	800	353	705	456
INVESTIGATIVE FUND ASSESSMENT	500	-	500	41	560	360
OTHER CRIMINAL NON-TRAFFIC	150	50	150	-	139	84
COURT COST RECOUPMENTS	500	1,100	500	354	715	533
CRIME VICTIMS	1,800	200	1,800	1,207	1,522	782
PUBLIC DEFENDER FEES	-	-	-	1	-	-
PUBLIC DEFENSE COSTS	1,500	1,280	1,500	1,878	1,517	1,260
WARRANT/SUBP-SHF		500				
CRT COST RECOUP		50				
INTERPRETER	-	-	-			-
TOTAL FINES & FORFEITS	12,640	9,080	12,640	11,691	11,655	13,288

City of Long Beach

2014 Proposed Budget

CURRENT EXPENSE - 001

DESCRIPTION	Proposed 2014 Budget	2013 Estimated	2013 Budget	2012 Actual	2011 Actual	2010 Actual
MISCELLANEOUS REVENUES						
INVESTMENT INTEREST	3,500	2,000	3,500	2,592	4,183	2,975
COURT BANK CHARGES		-		(144)	(102)	-
SALES INTEREST	275	31	275	36	192	504
RENT REVENUE	500	-	500	-	275	12
BINGO BUILDING RENT		-		-		
SMA Grant 2013	70,500	-	-	-	-	-
STATE PARKS LAND MANAGEMENT		-		-		-
FUND CONTRIBUTIONS	5,000	4,500	5,000	2,518	9,077	1,500
ILWACO COURT CONTRACT		1		-		
BINGO BUILDING SALE		-		-		
MISCELLANEOUS REVENUES	3,000	2,450	3,000	1,147	3,241	120
NSF REVENUES	15	10	15	9	(5)	(8)
TOTAL MISCELLANEOUS REVENUES	82,790	8,992	12,290	6,158	16,861	5,103
TOTAL REVENUES	1,348,036	1,277,950	1,254,930	1,354,626	1,244,180	1,254,050
NON-REVENUES						
BINGO BOND ISSUE		-		-		-
CRIME VICTIMS	-	-	-	65	-	90
LOAN REPAYMENT - LODGING TAX		-				
LOAN REPAYMENT - STREETS		-		23,854		
TRANSFER FROM CE SINKING	-	-	-		83,147	72,000
TRAN WATER TO CURRENT EXP LOAN	50,256	50,256	50,256	50,256	-	
TRAN SEWER TO CURRENT EXP LOAN	23,854	23,854	23,854			
CONTINGENT REVENUES		-				
JIS/TRAUMA	1,000	850	1,000	709	792	1,746
LOCAL/JIS ACCOUNT	35	30	35	37	35	37
REFUNDS		-		-		-
OTHER RECEIPTS	1,000	350	1,000	-	1,118	20
TOTAL NON-REVENUES	76,145	75,340	76,145	74,921	85,093	73,893
TOTAL CURRENT EXPENSE FUND	1,604,368	1,413,985	1,468,070	1,468,093	1,382,240	1,572,690

Expenditures

CURRENT EXPENSE

LEGISLATIVE

SALARIES	24,000	20,700	24,000	24,000	24,000	21,100
BENEFITS & TAXES	2,000	2,000	2,000	1,950	2,059	1,746
OFFICE SUPPLIES	500	200	500	111	605	1,183

City of Long Beach

2014 Proposed Budget

CURRENT EXPENSE - 001

	Proposed 2014 Budget	2013 Estimated	2013 Budget	2012 Actual	2011 Actual	2010 Actual
DESCRIPTION						
TRAVEL	1,500	850	1,500	729	1,640	(50)
LEGAL ADVERTISING	300	100	300	-	-	-
MISCELLANEOUS	9,000	9,000	1,500	6,694	12,200	12,208
EQUIPMENT		-		-	-	-
TOTAL LEGISLATIVE	37,300	32,850	29,800	33,484	40,504	36,187
JUDICIAL						
SALARIES	12,000	12,000	12,000	43,029	43,085	42,767
BENEFITS	1,000	1,000	1,000	10,461	6,586	4,411
OPERATING SUPPLIES	100	100		605	796	1,455
LEGAL FEES	16,000	14,500	25,200	13,056	12,623	12,612
COUNTY COURT CONTRACT	14,000	14,000				
COMMUNICATIONS	500	450	500	450	482	484
TRAVEL	-	-	-	-	287	-
MISCELLANEOUS	-	-	-	252	-	50
EQUIPMENT	-	-	-	-	-	2,350
COUNTY JAIL - LONG BEACH	6,000	6,000	8,000	5,000	5,955	4,473
COUNTY JAIL - ILWACO	1,000	1,000	-	1,078	3,180	1,761
TOTAL JUDICIAL	50,600	49,050	46,700	73,931	72,994	70,363
FINANCE & ADMINISTRATION						
SALARIES	76,565	50,331	50,331	47,587	66,052	63,220
BENEFITS	27,034	14,250	10,286	18,487	23,988	21,922
OPERATING SUPPLIES	5,500	4,500	5,500	6,257	6,289	6,399
ACCOUNTING SERVICES	17,500	10,000	18,000	4,770	18,922	18,061
PROFESSIONAL SERVICES	5,000	1,000	5,000	10,869	5,861	1,976
COMMUNICATIONS	4,000	3,900	4,000	3,822	4,168	1,317
TRAVEL	3,500	3,000	3,500	3,404	3,357	7,135
TRAINING	500	-	1,500	300	50	-
LEGAL ADVERTISING	500	750	500	395	212	196
REPAIRS AND MAINTENANCE	-	250	-	12	164	26
INSURANCE	22,000	-	22,000	39,925	19,641	20,143
DUES & ASSOCIATIONS	2,400	2,478	2,000	2,541	-	-
PRINTING	-	45	-			
MISCELLANEOUS	500	250	500	1,582	5	699
EQUIPMENT	1,200	500	1,200	-	1,056	-
TOTAL FINANCE & ADMINISTRATION	166,199	91,254	124,316	139,951	150,105	141,094
LEGAL						
PROFESSIONAL SERVICES	18,000	18,000	18,000	37,508	21,414	15,985
TOTAL LEGAL	18,000	18,000	18,000	37,508	21,414	15,985
FACILITIES						
OPERATING SUPPLIES		-	600	1,459	653	575
UTILITIES	3,000	2,740	3,200	3,602	2,741	2,818
REPAIRS & MAINTENANCE	400	150	500	1,166	43	537

City of Long Beach

2014 Proposed Budget

CURRENT EXPENSE - 001

DESCRIPTION	Proposed 2014 Budget	2013 Estimated	2013 Budget	2012 Actual	2011 Actual	2010 Actual
MISCELLANEOUS	1,500	1,920	1,500	2,610	1,920	1,947
REMODELING - CITY HALL	-	500	1,000	4,376	305	3,742
Obies Demolition	-	-	-	8,125		
28th Street Lift Station	-	-				
TOTAL FACILITIES	4,900	5,310	6,800	21,338	5,662	9,619

ASSOCIATION WASHINGTON CITIES

CONTRIBUTIONS	800	800	800	685	-	
TOTAL AWC	800	800	800	685	-	-

FIRE CONTROL

SALARIES	13,500	9,000	13,500	8,757	8,721	13,340
BENEFITS	10,500	10,500	12,980	14,529	14,635	10,604
OPERATING SUPPLIES	10,000	12,850	10,000	7,705	12,229	24,785
OFFICE SUPPLIES	300	110	500	-	-	213
PROFESSIONAL SERVICES	500	1,000	250	952	-	-
COMMUNICATIONS	9,500	9,000	5,500	8,527	6,631	5,259
TRAVEL	500	-	1,500	4,438	223	1,046
INSURANCE	21,000		21,000	39,925	19,641	20,143
FACILITIES	20,000	20,000	20,000	20,000	20,000	20,000
UTILITIES	6,500	6,500	6,500	6,508	6,953	7,216
REPAIRS & MAINTENANCE	10,000	8,450	10,000	7,871	12,764	19,119
FIRE SURPRESSION AND MAINTENANCE	-	-	-	-	-	-
MISCELLANEOUS	1,500	1,000	2,000	810	720	720
EQUIPMENT	9,000	8,800	9,000	12,115	1,979	16,120
TRAINING	1,500	550	2,000	2,130	40	2,540
TOTAL FIRE CONTROL	114,300	87,760	114,730	134,098	104,537	141,105

BUILDING INSPECTOR

SALARIES	29,640	3,011	3,011	22,500	30,423	50,995
BENEFITS	10,670	1,762	1,762	12,800	15,320	22,200
OPERATING SUPPLIES	750	750	850	1,067	875	1,166
PRINTING	-	-	150	-	-	-
PROFESSIONAL SERVICES	600	600	-	-	-	-
TRAINING	1,000	690	1,500	95	1,606	595
DUES AND ASSOCIATIONS	100	95				
TRAVEL	600	600	800	1,217	981	2,902
MISCELLANEOUS	250	50	500	50	-	-
EQUIPMENT	-	-	-	-	-	-
MEMBERSHIPS	-	-	350	-	-	-
TOTAL BUILDING INSPECTOR	43,610	7,558	8,922	37,729	49,205	77,858

CIVIL DEFENSE

EMERGENCY MANAGEMENT	12,119	10,000	11,057	8,296	8,142	9,782
TOTAL CIVIL DEFENSE	12,119	10,000	11,057	8,296	8,142	9,782

City of Long Beach

2014 Proposed Budget

CURRENT EXPENSE - 001

DESCRIPTION	Proposed 2014 Budget	2013 Estimated	2013 Budget	2012 Actual	2011 Actual	2010 Actual
BEACH PATROL						
PROFESSIONAL SERVICES	12,000	12,000	12,000	12,000	12,000	12,000
TOTAL BEACH PATROL	12,000	12,000	12,000	12,000	12,000	12,000
AIR POLLUTION						
OLYMPIC AIR POLLUTION CONTROL	900	866	700	931	691	680
TOTAL AIR POLLUTION	900	866	700	931	691	680
PLANNING						
SALARIES	66,842	26,188	26,188	26,347	43,294	41,831
BENEFITS	18,951	7,848	7,848	7,511	11,174	9,781
OPERATING SUPPLIES	3,000	3,850	3,000	2,549	4,741	2,923
PROFESSIONAL SERVICES	24,500	6,000	15,000	7,777	6,906	15,915
TRAVEL	2,000	1,300	2,000	295	765	2,203
LEGAL ADVERTISING	3,000	3,000	3,000	2,974	3,320	1,902
REPAIRS AND MAINTENANCE		-			-	
MISCELLANEOUS	800	50	800	216	5	-
EQUIPMENT	10,000	-	1,000	877	85	1,488
LEGAL SERVICES	5,000	-	5,000	4,785	342	-
TRAINING	2,000	500	2,000	1,003	1,207	1,040
MEMBERSHIP	350	350	350	294	-	-
TOTAL PLANNING	136,444	49,086	66,186	54,628	71,838	77,083
ALCOHOLISM						
COUNTY CONTRIBUTION	365	365	360	362	348	383
TOTAL ALCOHOLISM	365	365	360	362	348	383
PARKS						
SALARIES	39,220	28,188	28,188	25,500	35,028	76,496
BENEFITS	9,811	12,600	9,681	10,800	13,505	30,728
OPERATING SUPPLIES	30,000	31,000	30,000	31,944	34,606	34,250
PROFESSIONAL SERVICES	150	125	-		97	
INSURANCE	12,000	-	12,000	20,821	10,101	10,359
UTILITIES	10,500	9,000	10,500	9,681	10,290	10,516
REPAIRS & MAINTENANCE	22,500	13,000	23,500	16,191	22,341	27,985
MISCELLANEOUS	-	27	-	-	4,751	27,351
EQUIPMENT	3,500	3,000	3,200	2,588	25,211	5,241
CULBERTSON PARK IMPROVEMENTS	-	1,813	-	-	-	-
MISCELLANEOUS	18,000	13,065	18,000	22,063	18,685	6,195
TRAVEL	400	400		28	188	146
SKATEBOARD PARK	-	-		-	-	
LANDSCAPING	16,500	16,500	15,000	15,695	14,416	2,707
RESTROOM FACILITIES	6,000	1,200	2,000	2,150	2,206	158
DUNE PARK	850	200	-	-	-	-
TREE CONTROL	2,000	-	2,000	-	-	740
TRAIN DEPOT	4,000	4,000	4,500	5,712	7,931	653

City of Long Beach

Proposed 2014 Budget

LAW ENFORCEMENT - 004

DESCRIPTION	Proposed 2014 Budget	2013 Estimated	2013 Budget	2012 Actual	2011 Actual	2010 Actual
Revenues						
BEGINNING FUND BALANCE	63,942	1,517	278,007	12,102	115,416	29,830
TOTAL BEGINNING FUND BALANCE	63,942	1,517	278,007	12,102	115,416	29,830
WEAPONS PERMITS	350	32	500		221	96
WASPC GRANT		-		889		10,955
TRAFFIC SAFETY GRANT						
LAW ENFORCEMENT SERVICES	206,010	198,087	198,087	183,140	183,140	183,140
STOP GRANT						
INVESTMENT INTEREST	-	-	800		0	375
OTHER RECEIPTS	10,000	9,500	8,396	16,198	11,962	11,187
KITE FESTIVAL BOOTH						-
TOTAL NON REVENUES	216,360	207,619	207,783	200,228	195,324	205,753
TRANSFER FROM CURRENT EXPENSE	660,000	667,000	667,000	671,250	589,167	670,890
TOTAL OTHER FINANCING SOURCES	660,000	667,000	667,000	671,250	589,167	670,890
TOTAL LAW ENFORCEMENT	940,303	876,136	1,152,790	883,579	899,906	906,473

Expenditures

SALARIES	478,047	459,420	418,351	464,415	464,056	416,127
BENEFITS	206,379	207,249		247,422	236,093	215,438
OPERATING SUPPLIES	25,000	28,000	22,950	24,548	27,138	23,642
OFFICE SUPPLIES	5,000	3,000	5,000	1,746	2,537	3,442
PROFESSIONAL SERVICES	18,000	10,000	10,000	4,991	5,419	4,940
COMMUNICATIONS	60,000	59,875	60,000	53,379	52,488	43,733
TRAVEL	5,000	1,500	5,000	3,612	4,032	6,269
INSURANCE	28,000	-	25,500	46,268	22,446	23,020
UTILITIES	4,000	2,950	4,000	2,841	2,972	2,750
REPAIRS & MAINTENANCE	12,000	11,250	10,000	6,616	11,489	9,818
MISCELLANEOUS	1,000	1,200	1,000	1,688	785	1,833
Facilities		-		570		
EQUIPMENT	18,000	5,600	8,000	2,936	10,656	13,473
UNIFORMS	6,000	5,000	6,000	3,509	4,632	4,919
PRINTING	500	250	500	-	-	227
TRAINING	6,000	6,100	6,000	5,052	4,048	6,680
COMPUTER	1,500	-	1,500	-	-	3,105

City of Long Beach

Proposed 2014 Budget

LAW ENFORCEMENT - 004

DESCRIPTION	Proposed					
	2014 Budget	2013 Estimated	2013 Budget	2012 Actual	2011 Actual	2010 Actual
ACCESS ANNUAL COSTS	2,000	500	6,000	2,136	3,048	1,980
VEHICLE SINKING FUND CONTRIB.	36,000		36,000		25,425	-
RESERVES	500	-	500		432	-
DRUG TASK FORCE	10,000	10,000	10,000	10,000	10,000	10,000
TOTAL EXPENDITURES	922,926	811,894	636,301	881,731	887,696	791,397
AGENCY DISBURSEMENTS	200	300	150	231	108	54
TOTAL LAW ENFORCEMENT	923,126	812,194	636,451	881,962	887,804	791,451

<i>Carry Over</i>	17,177	63,942	516,339	1,617	12,102	115,022
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TAB

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TAB

B



**CITY COUNCIL
WORKSHOP BILL
WS 13-16**

Meeting Date: November 4, 2013

AGENDA ITEM INFORMATION		
SUBJECT: <i>Two Code Enforcement Issues, North Washington; Follow-up on Aloha Charlies</i>	Originator:	
	Mayor	
	City Council	
	City Administrator	
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	GB
	Finance Director	
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
COST: None	Water/Wastewater Supervisor	
	Other:	
<p>SUMMARY STATEMENT: <i>The City has received complaints from a neighbor regarding two separate properties on North Washington:</i></p> <ol style="list-style-type: none"> <i>1. General condition of the Campfire Girls property;</i> <i>2. General condition of the Herman property as well as the number of vehicles parked on the lawn.</i> <p><i>Photos and ownership info are attached. Staff is looking for direction. Does the Council want staff to proceed with enforcement, and if so, on what issues?</i></p> <p><i>Also, staff is confused and seeks advice about Aloha Charlies – they have removed the vinyl from one of their two car covers (it has been that way for 3 weeks or so). They committed to Council to remove both of the car covers in their entirety the weekend after Rod Run, about 2 months ago. What does Council want staff to do, if anything?</i></p>		



Bruce Walker
County Assessor

Pacific County Assessor

300 Memorial Drive
PO Box 86
South Bend, WA 98586
Phone: (360)875-9301



Property Summary [\(Appraisal Details\)](#)

Parcel Information

Parcel Number: 10110924097
Map Number: 101109 097 LB
Situs: 2106 WASHINGTON AVE N
Legal: ~~~
Twp-Rge-Section 10110924

Ownership Information

Current Owner: CAMPFIRE GIRLS CHAPT 59697
NATIONAL HEADQUARTERS
Address: 1100 WALNUT STREET SUITE #1900
City, State: KANSAS CITY, MO
Zipcode: 64106-

Assessment Data

Tax District: 34
Land Use/DOR 97
Code:
Open Space:
Open Space Date:
Senior Exemption:
Deeded Acres: 0.13
Last Revaluation for {Reval}
Tax Year:

Market Value

Land: 40,000
Imp: 5,000
Perm Crop: 0
Total: 45,000

Taxable Value

Land: 0
Imp: 0
Perm Crop: 0
Total: 0

Sales History

NO SALES HISTORY RECORDS FOUND

Building Permits

NO ACTIVE PERMITS

5 Year Valuation Information

Year	Billed Owner	Land	Impr.	PermCrop Value	Total	Exempt	Taxable	Taxes
2013	CAMPFIRE GIRLS CHAPT 59697	50,000	5,000	0	55,000	0	0	View Taxes
2012	CAMPFIRE GIRLS CHAPT 59697	50,000	5,000	0	55,000	0	0	View Taxes
2011	CAMPFIRE GIRLS CHAPT 59697	50,000	5,000	0	55,000	0	0	View Taxes
2010	CAMPFIRE GIRLS CHAPT 59697	50,000	5,000	0	55,000	0	0	View Taxes
2009	CAMPFIRE GIRLS CHAPT 59697	25,000	5,000	0	30,000	0	30,000	View Taxes
2008	CAMPFIRE GIRLS CHAPT 59697	25,000	5,000	0	30,000	0	30,000	View Taxes

Parcel Comments

Number

Comment

- 1 DOR EXEMPTION #03880-005 DATED 8/29/13 FOR '14 TAX~
- 2 DOR EXEMPTION #03880-005 DATED 5/17/2013 FOR 2010-2014 TAX~
- 3 TAXABLE AS OF THE DATE SOLD 05/05/2005, PER DOR EXEMPTION-#05683-001~
- 4 DOR DETERMINATION #05683-001 NOW TAXABLE FROM 5/5/05 & FOR '06-AND '07 TAXES.~
- 5 DOR EXEMPTION #05683-001 DATED 12/16/05 FOR '05 TAXES.~
- 6 DOR EXEMPTION #05683-001 DATED 8/31/05 FOR '06 TAXES.~
- 7 DOR EXEMPTION #05683-001 DATED 8/26/05 FOR '05 TAXABLE.~
- 8 DOR EXEMPTION REG #05683-001 DATED 8/24/04 FOR '05 TAXES~
- 9 DOR EXEMPTION REG #05683-001 FOR '04 TAX~
- 10 EXEMPT



Campfire Girls
Overgrown vegetation
Broken window



Campfire Girls
Failed siding
Broken window



Campfire Girls
Broken window
Close view overgrown vegetation



Campfire Girls
Close view of rotten decking
Close view of failed siding



Bruce Walker
County Assessor

Pacific County Assessor

300 Memorial Drive
PO Box 86
South Bend, WA 98586
Phone: (360)875-9301



Property Summary [\(Appraisal Details\)](#)

Parcel Information

Parcel Number: 74058075001
Map Number: PIONEER AMD 75 01
Situs: 2407 WASHINGTON AVE N
Legal: LOT 2~
Twp-Rge-Section 10110924

Ownership Information

Current Owner: HERMAN, KENNETH A
Address: P O BOX 1032
City, State: LONG BEACH, WA
Zipcode: 98631-

Assessment Data

Tax District: 34
Land Use/DOR 11
Code:
Open Space:
Open Space Date:
Senior Exemption:
Deeded Acres: 0.23
Last Revaluation for {Reval}
Tax Year:

Market Value

Land: 45,000
Imp: 21,400
Perm Crop: 0
Total: 66,400

Taxable Value

Land: 45,000
Imp: 21,400
Perm Crop: 0
Total: 66,400

Sales History

Date	Book & Page	# Parcels	Grantor	Grantee	Price
10-07-2005	3086-529	2	MORRIS, DOROTHY JW EST OF...	HERMAN, KENNETH A	100,000

Building Permits

NO ACTIVE PERMITS

5 Year Valuation Information

Year	Billed Owner	Land	Impr.	PermCrop Value	Total	Exempt	Taxable	Taxes
2013	HERMAN, KENNETH A	55,000	25,700	0	80,700	0	80,700	View Taxes
2012	HERMAN, KENNETH A	55,000	28,500	0	83,500	0	83,500	View Taxes
2011	HERMAN, KENNETH A	55,000	34,700	0	89,700	0	89,700	View Taxes
2010	HERMAN, KENNETH A	55,000	34,700	0	89,700	0	89,700	View Taxes
2009	HERMAN, KENNETH A	35,000	39,000	0	74,000	0	74,000	View Taxes
2008	HERMAN, KENNETH A	35,000	39,000	0	74,000	0	74,000	View Taxes

Parcel Comments

Number	Comment
1	CANCEL FIRE PATROL ASSESSMENT 2014 TAX PER DNR AUTH #13289~
2	SITUS CHG PER MARK SCOTT'S LISTING~~
3	RE-ACTVATED LOT 8/TOOK VALUE OF LOT 8 OF \$9700 OFF OF THIS PARCEL;~PARCEL NO LONGER GETTING AN EXEMPTION SO PUT BACK PARCELS BACK THE~WAY THEY WERE~
4	CANCEL EXEMPTION FOR '2004 TAXES/MORRIS-DEC'D~
5	COMBINED WITH PARCEL # 74058075008 (PIONEER AMD 75 08) ON 12/17/2003~FOR SC PURPOSES~
6	CHG'D FRZN VALUE TO \$37,300 DUE TO COMBO FOR SC PURPOSES~

[Photos/Sketches](#)



Kenneth Herman
Lawn mower and car parked on lawn



Kenneth Herman
Items and junk stored outside



Kenneth Herman
Cars on lawn



Aloha Charlie's
Remaining car cover frames (2) and cover (1)

TAB

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TAB

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LONG BEACH CITY COUNCIL MEETING

OCTOBER 21, 2013

CALL TO ORDER

Mayor Pro Tem Phillips called the meeting to order at 7:00 p.m. and asked for the Pledge of Allegiance.

ROLL CALL

David Glasson, Finance Director, called roll with C. Linhart, C. Perez, C. Murry and C. Phillips present. Mayor Andrew and C. Hanson were absent.

CONSENT AGENDA

Minutes, October 7, 2013 Regular City Council meeting

Payment Approval List for Warrant Registers 53469-53518 & 72164-72230 for \$174,293.14

C. Linhart made the motion to approve the consent agenda with C. Murry seconding the motion. 4 Ayes 0 Nays 1 Absent (C. Hanson), motion passed.

BUSINESS

AB 13-44 No action items for this meeting.

ORAL REPORTS

C. Linhart, C. Perez, C. Phillips and David Glasson, Finance Director presented oral reports.

CORRESPONDENCE AND WRITTEN REPORTS

Correspondence – All Terrain Vehicle presentation from the State and Sheriff

Correspondence – Note from Boys and Girls Club

Correspondence – Thank You from PAA for use of Depot Building

Business License – Dishnet Satellite Broadband, LLC; Englewood, CO

PUBLIC COMMENT

None

ADJOURNMENT

C. Linhart made the motion to adjourn at 7:17 p.m. with C. Murry seconding the motion. 4 Ayes 0 Nays 1 Absent (C. Hanson), motion passed.

Mayor Pro Tem

ATTEST:

City Clerk



Warrant Register

Check Periods: 2013 - October - Second

I, THE UNDERSIGNED DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE CLAIM IS A JUST, DUE AND UNPAID OBLIGATION AGAINST THE CITY OF LONG BEACH, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND CERTIFY TO SAID CLAIM.

Council Member	Council Member	Council Member	Finance Director
Number	Name	Print Date	Amount
53520	Bell, Helen S	10/18/2013	\$1,005.07
53521	Binion, Jacob	10/18/2013	\$1,353.24
53522	Bledsoe, Linda	10/18/2013	\$782.68
53523	Booi, Kristopher A	10/18/2013	\$371.14
53524	Borchard, Gayle	10/18/2013	\$1,834.27
53525	Cutting, Jeffrey G.	10/18/2013	\$2,066.88
53526	Daulton, Alan T	10/18/2013	\$511.79
53527	Fitzgerald, Rick E.	10/18/2013	\$1,369.87
53528	Gilbertson, Bradley K	10/18/2013	\$1,326.53
53529	Glasson, David R.	10/18/2013	\$2,396.61
53530	Goulter, John R.	10/18/2013	\$1,464.89
53531	Gray, Karen	10/18/2013	\$812.57
53532	Gray, Rick R.	10/18/2013	\$1,598.80
53533	Huff, Timothy M.	10/18/2013	\$1,478.89
53534	Kirby, Gary E	10/18/2013	\$780.27
53535	Kitzman, Michael	10/18/2013	\$1,957.61
53536	Luethe, Paul J	10/18/2013	\$1,363.16
53537	Meling, Casey K	10/18/2013	\$1,501.21
53538	Miles, Eugene S	10/18/2013	\$2,413.14
53539	Mortenson, Tim	10/18/2013	\$1,686.05
53540	Myers, Ragan S.	10/18/2013	\$1,312.40
53541	Payroll Vendor	10/18/2013	Void
53542	Ostgaard, Loretta G	10/18/2013	\$1,305.95
53543	Padgett, Timothy J	10/18/2013	\$1,682.59
53544	Payroll Vendor	10/18/2013	Void
53545	Ross, Steven J	10/18/2013	\$1,597.88
53546	Russum, Richard	10/18/2013	\$1,251.94
53547	Scott, Mark G	10/18/2013	\$661.58
53548	Warner, Ralph D.	10/18/2013	\$1,739.56

Number	Name	Print Date	Clearing Date	Amount
53549	Wright, Flint R	10/18/2013		\$2,265.67
53550	Zuern, Donald D.	10/18/2013		\$1,896.76
53551	Nawn, Rodney J.	10/18/2013		\$1,738.38
53552	Parker, Michael T	10/18/2013		\$1,432.91
53553	AFLAC	10/18/2013		\$375.35
53554	Association of WA Cities	10/18/2013		\$12,873.21
53555	City of Long Beach - Fica	10/18/2013		\$9,673.76
53556	City of Long Beach - FWH	10/18/2013		\$7,863.61
53557	Dept of Labor & Industries	10/18/2013		\$1,570.46
53558	Dept of Retirement Systems	10/18/2013		\$8,169.51
53559	Dept of Retirement Systems Def Comp	10/18/2013		\$1,033.00
53560	Massmutual Retirement Services	10/18/2013		\$325.00
53561	Teamsters Local #58	10/18/2013		\$123.50
53562	United Employee Benefit Trust (UEBT)	10/18/2013		\$4,690.00
72231	Department of Licensing	10/22/2013		\$18.00
72232	CURRAN-McLEOD, INC	10/22/2013		\$2,080.00
72233	City of Long Beach	10/29/2013		\$600.00
72234	Standard Insurance Co.	10/29/2013		\$1,400.50
72235	Unum Life Insurance	10/29/2013		\$45.60
72236	Borchard, Gayle	10/30/2013		\$302.25
72237	Postmaster	10/30/2013		\$319.24
72238	Pacific County Auditor	10/30/2013		\$72.00
72239	Employment Security Dept	10/31/2013		\$3,005.09
72240	Clark, Ron	11/1/2013		\$325.00
72241	Bledsoe, Linda	11/1/2013		\$182.22
72242	Active Enterprises, Inc.	11/1/2013		\$23.72
72243	Alsco-American Linen Div.	11/1/2013		\$208.91
72244	Arts Auto Parts Inc.	11/1/2013		\$299.03
72245	Astoria Janitor & Paper Supply	11/1/2013		\$40.51
72246	Backflow Management Inc	11/1/2013		\$1,510.00
72247	Berkadia Commercial Mortgage	11/1/2013		\$5,743.00
72248	Chemtrac Systems, Inc	11/1/2013		\$614.46
72249	DAVIS WRIGHT TREMAINE LLP	11/1/2013		\$16,494.97
72250	Dept. of Ecology	11/1/2013		\$90.00
72251	Evergreen Septic Service	11/1/2013		\$2,748.90
72252	Ford Electric	11/1/2013		\$273.32
72253	Hamilton, Kim	11/1/2013		\$438.00
72254	Lawson Products, Inc.	11/1/2013		\$78.12
72255	LEEDWAY, LLC dba LEED	11/1/2013		\$738.38
72256	Long Beach Commercial Security	11/1/2013		\$9.70
72257	Normandin, Linda	11/1/2013		\$438.00
72258	North Coast Truck Parts	11/1/2013		\$265.00
72259	One Call Concepts, Inc.	11/1/2013		\$30.36
72260	Oregon Dept. of Transportation	11/1/2013		\$6.50
72261	Pacific County Sheriff's	11/1/2013		\$2,764.25
72262	Peninsula Landscape Supply	11/1/2013		\$582.12

Number	Name	Print Date	Clearing Date	Amount
<u>72263</u>	Peninsula Visitors Bureau	11/1/2013		\$3,280.00
<u>72264</u>	Penoyar, William	11/1/2013		\$1,000.00
<u>72265</u>	Poster Compliance Center	11/1/2013		\$237.00
<u>72266</u>	Powell, Seiler & Co., P.S	11/1/2013		\$1,100.00
<u>72267</u>	Public Utility District 2	11/1/2013		\$6,797.46
<u>72268</u>	Simonson, Angela	11/1/2013		\$438.00
<u>72269</u>	Sirennet.com	11/1/2013		\$741.83
<u>72270</u>	SUNSET AUTO PARTS, INC	11/1/2013		\$741.42
<u>72271</u>	SURF N SADDLE, INC	11/1/2013		\$1,000.00
<u>72272</u>	Tangly Cottage Garden	11/1/2013		\$475.67
<u>72273</u>	Tse, Brian P	11/1/2013		\$63.75
<u>72274</u>	Visa	11/1/2013		\$554.48
<u>72275</u>	Wilcox & Flegel Oil Co.	11/1/2013		\$863.42
<u>72276</u>	WILLAPA PAPER SERVICE	11/1/2013		\$250.00
		Total	Check	\$150,947.87
		Grand Total		\$150,947.87

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**CITY COUNCIL
AGENDA BILL
AB 13-44**

Meeting Date: November 4, 2013

AGENDA ITEM INFORMATION

SUBJECT: Declare Emergency to Allow City Access to 301 and 308 Ocean Beach Boulevard North to Abate Conditions	Originator:	
	Mayor	
	City Council	
	City Administrator	
	City Attorney	
	City Clerk	
	City Engineer	
	Community Development Director	GB
	Finance Director	
	Fire Chief	
	Police Chief	
	Streets/Parks/Drainage Supervisor	
COST: N/A	Water/Wastewater Supervisor	
	Other:	

SUMMARY STATEMENT: In 2009, the Gilson family demolished the Boulevard Motel at the subject address, leaving behind a mound of demolition material and a debris field across the property. Over the years the City has requested the remaining debris be removed, and has received several complaints from citizens regarding the pile. In the absence of owner action, on August 9, 2013, the City sent Ms. Sally Gilson, the responsible party, a Notice of Violation and Abatement. That Notice (attached) describes the nuisance issues with the property, describes what needs to be abated, and gives a date for abatement of September 11, 2013. The violation also afforded the responsible party the opportunity to appeal the violation, which did not occur. In the absence of an appeal or of abatement by the responsible party, the City may abate the nuisance conditions and lien the property for the amount of the City's actual costs. City Attorney Goelz recommends that at a public meeting to which the responsible party is noticed, the City declare the conditions at the site constitute an emergency and direct City staff to abate those conditions. That is the purpose of this agenda item. The responsible party has been duly noticed (attached) as recommended by the City Attorney of this meeting and of the intent of the Council to declare an emergency.

RECOMMENDED ACTION: *Declare an emergency, direct staff to abate the remaining nuisances at 301 and 308 Ocean Beach Boulevard North, direct the City Attorney to obtain actual costs from City staff and to lien the subject property pursuant to Long Beach City Code Title 14, Enforcement Procedures.*



Post Office Box 310
115 Bolstad Avenue West
Long Beach, WA 98631
Telephone 360-642-4421
FAX 360-642-8841
planner@longbeachwa.gov

October 23, 2013

Ms. Sally Gilson, Trustee
19528 Ventura Boulevard, PMB 642
Tarzana, CA 91356

BY CERTIFIED MAIL

**RE: Case No. CE 2013-09 – Declaration of an Emergency and Intent to Abate
301 Ocean Beach Boulevard North, Long Beach, Washington**

Ms. Gilson:

This letter follows up on the August 9, 2013 City of Long Beach Notice of Violation and Abatement, which was received by you and the City's service accepted on August 12, 2013. That Notice informed you of nuisance violations and set out a timeframe for you to either appeal the nuisance violations by August 25, 2013 or to abate them by September 11, 2013.

At its next regularly-scheduled public meeting on November 4, 2013, the Long Beach City Council will consider whether to declare the conditions at your property an emergency. If the Council does declare so, the City will enter your property, abate the nuisances, and will lien your property for the actual cost of the abatement.

You have the right to attend this meeting to discuss the matter with the Council. You can expect that if the Council does not hear from you that the City will abate the nuisances at the site within the next month.

If you have questions, please do not hesitate to contact me.

Sincerely,

Gayle Borchard
Director, Community Development

cc: Rick Gray, Building Official
file

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Ms. Sally Gilson, Trustee
19528 Ventura Boulevard, PMB 642
Tarzana, CA 91356

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Sally Gilson*

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

08/12/13

Address different from item 1? ☐ Yes

delivery address below: ☐ No

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7012 3460 0001 2675 8048

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540



Post Office Box 310
115 Bolstad Avenue West
Long Beach, WA 98631
Telephone 360-642-4421
FAX 360-642-8841
planner@longbeachwa.gov

8/9/13
sent via
regular &
certified return
receipt mail

August 9, 2013

Ms. Sally Gilson, Trustee
19528 Ventura Boulevard, PMB 642
Tarzana, CA 91356

BY CERTIFIED MAIL

Violation
RE: Case No. CE 2013-09 - Notice of and Abatement
301 and 308 Ocean Beach Boulevard North, Long Beach, Washington

Ms. Gilson:

It has come to the City's attention that your property at the old Boulevard Motel site remains in violation of the City of Long Beach Municipal Code, specifically, Title 5 (Health, Sanitation and Environment), Chapters 2 (Public Nuisances) and 4 (Noxious Vegetation).

The City has had issues on the past with the derelict condition of the property and occasionally receives complaints regarding the remaining debris from the hotel's demolition. Of particular concern are reports that children play on the debris pile, which includes a variety of rubble and trash, including sharp objects. We have stopped by, taken a look, and documented several issues.

The City has adopted new procedures for addressing code violations such as those that exist at your property since the last time we brought violations to your attention. Enclosed is a Notice of Violation and Abatement that details the current violations, what you must do to correct or "abate" them, a schedule for abatement, and the consequences for not abating the code violations. It is important to understand that once the City has to abate the illegal conditions at the property, we will take all steps to recoup our actual costs, and we will file a lien against the property if necessary to recoup those costs.

Enclosed are photos that are typical of the site violations, so you can better understand the issues and how you may best address them. If you have questions, please do not hesitate to contact me.

Sincerely,

Gayle Borchard
Interim Director, Community Development

cc: Rick Gray, Building Official
file

CITY OF LONG BEACH
NOTICE OF VIOLATION AND ABATEMENT
Case No. CE 2013-09 (see also Case No. CE 2009-02)

1. **Applicable Official:** Robert E. Andrew, Mayor
Address: Post Office Box 310
115 Bolstad Avenue West
Long Beach, WA 98631
Investigating Department: Community Development
Case Manager: Gayle Borchard
Telephone Number: 360/642-4421
E-mail: planner@longbeachwa.gov
2. **Person(s) Responsible for Violation:** Sally Gilson, property owner (trustee)
Address: 19528 Ventura Boulevard, PMB 642
Tarzana, California 91356
Telephone Number: 512.237.2435 (last known)
E-mail: unknown
3. **Street Address of Violation:** 301 and 308 Ocean Beach Boulevard North, Long Beach, Pacific County, Washington
Description of Land/Property: Assessor's Parcel Numbers: 10111632080, 10111632065, and 10111623061
Legal: (brief) Tax 61 LB, 65 LB, and 80 LB in 16-10-11
Physical Location: West side of Ocean Beach Boulevard Street Southeast, between 3rd Street Northwest and 4th Street Northwest
Located within the OTW-Old Town West zoning district.
4. **Description of Violation(s):**

Each violation described below begins with a reference to the relevant City of Long Beach code section(s).

Violation 1, noxious vegetation:

Section 5-2-4(A)(34)(d): Any poison oak, poison ivy, Russian thistle, or other noxious weeds, and any of those plants listed by a state or federal agency as noxious or prohibited, such as those plants listed on Washington's noxious weed list such as but not limited to gorse and Scotch broom. This applies whether the plant is growing or otherwise; but nothing herein shall prevent the temporary retention of such plants in approved covered receptacles.

Also, **Section 5-4-2** states: The city council finds, declares and determines that the existence of noxious vegetation upon any lot or parcel of land is a detriment or menace to

NOTICE OF VIOLATION AND ABATEMENT -2-

neighboring property and to the health, safety and welfare of the residents in the vicinity and as such, a public nuisance and shall be abated in the amount provided by this chapter.

Section 5-4-1 defines Scotch broom and wild blackberries as noxious vegetation.

The property is home to areas of Scotch broom.

Violation 2, trash/debris:

Section 5-2-4(A)(12): Cans, Bottles, Trash; Containers Required declares as a public nuisance the following: Any tin cans, bottles, glass, cans, ashes, wire, pipe, metal pieces or articles, plaster, and all other trash or abandoned material, unless the same is kept in covered bins or metal receptacles approved by the city administrator. This provision does not apply to recyclables kept in approved containers.

There is a pile of trash/debris remaining from prior demolition on the property. In addition, a debris field trends north from the pile in the vicinity of former cabins.

Violation 3, exposure of children:

Section 5-2-4(A)(34)(k) Lumber, Roofing and Siding Materials declares as a public nuisance the following: Lumber, roofing, or siding materials, logs, or pilings not so stacked, piled, or arranged as to be free from being dangerous to and/or accessible to children.

In addition, both the debris pile and the debris field meet the definition of an attractive nuisance found at Long Beach City code *Section 5-2-2: Attractive Nuisance*: Any object or condition which can reasonably constitute a hazard or danger and which is accessible to unauthorized persons.

The debris is not secured from public access, and includes lumber, including lumber pierced with nails, as well as other materials that are unsafe and present a danger, especially to children. Children have been observed playing on the debris.

5. Corrective Action Required:

1. Remove all noxious vegetation including Scotch broom, and untended blackberries (the latter, if any).
2. Remove all remaining debris from the prior demolition, including that in the debris pile and that strewn across the site.

6. Date of Compliance with Corrective Actions Required:

Required corrective action(s) must be taken within thirty (30) calendar days from the date of this Notice of Violation and Abatement (see below), or no later than September 11, 2013, after which the City may abate the public nuisance in accordance with the provisions of Long Beach City code section 14-3-2(B)(5). If the responsible party makes a compelling case that more than thirty (30) days is required to complete the corrective action(s), the City may extend the timeline. The responsible party must make his/her case for an extension no later than ten (10) days from the date of this notice, stated below.

NOTICE OF VIOLATION AND ABATEMENT -3-

7. **Appeal**

The responsible party to whom this notice is directed may request an appeal proceeding by the Long Beach Hearing Examiner by means of a Notice of Appeal pursuant to section 14-4-1(A). Such notice must be in writing and must be received by the City Clerk no later than fourteen (14) calendar days after this Notice of Violation and Abatement was issued (see below).

8. **Failure to Appeal or to Abate**

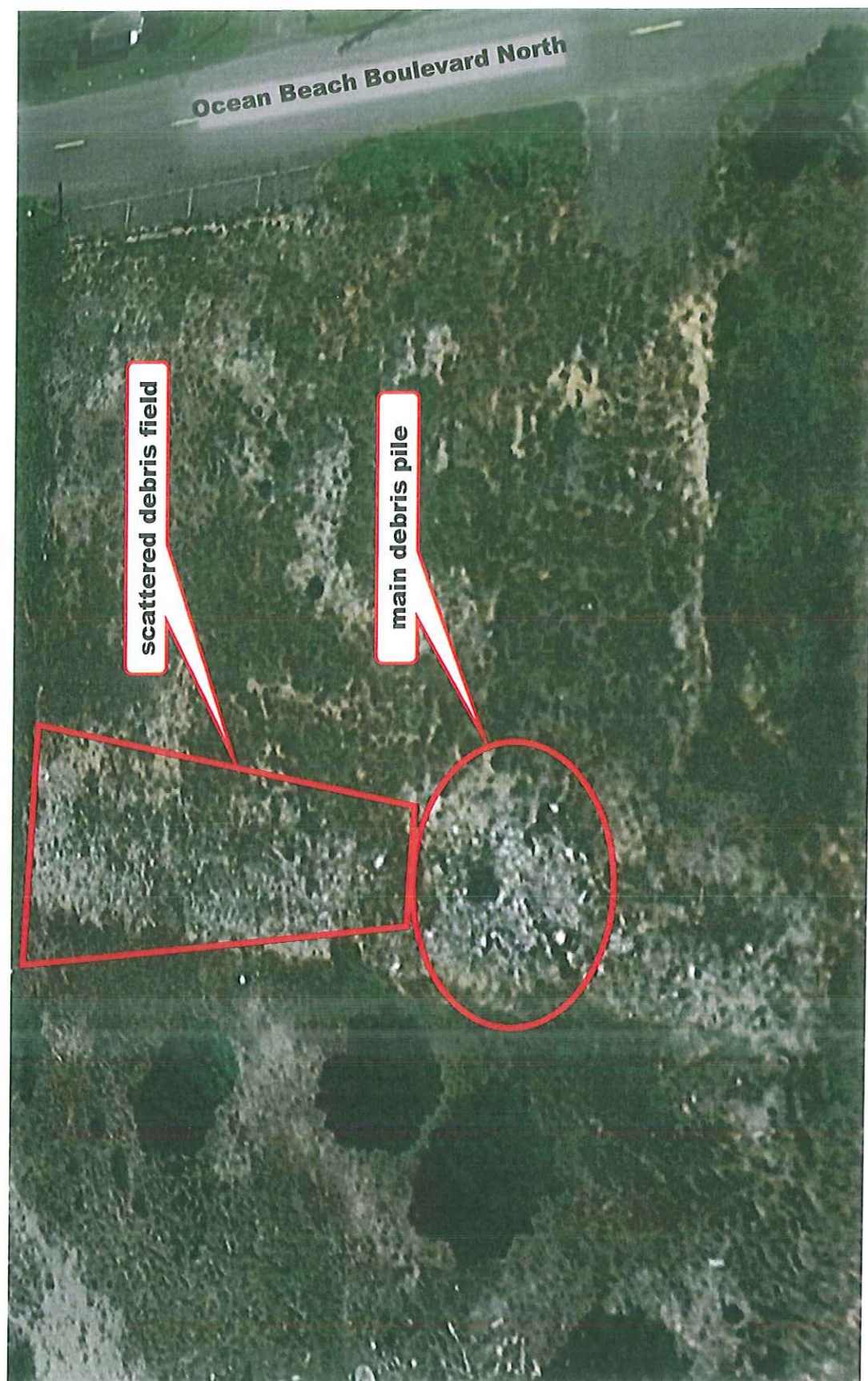
If the responsible party to whom this Notice of Violation and Abatement is issued fails to submit a Notice of Appeal within fourteen (14) calendar days of issuance or fails to voluntarily abate the nuisance within the time specified in this Notice of Violation and Abatement, the City may abate the nuisance.

9. **Costs of City Abatement**

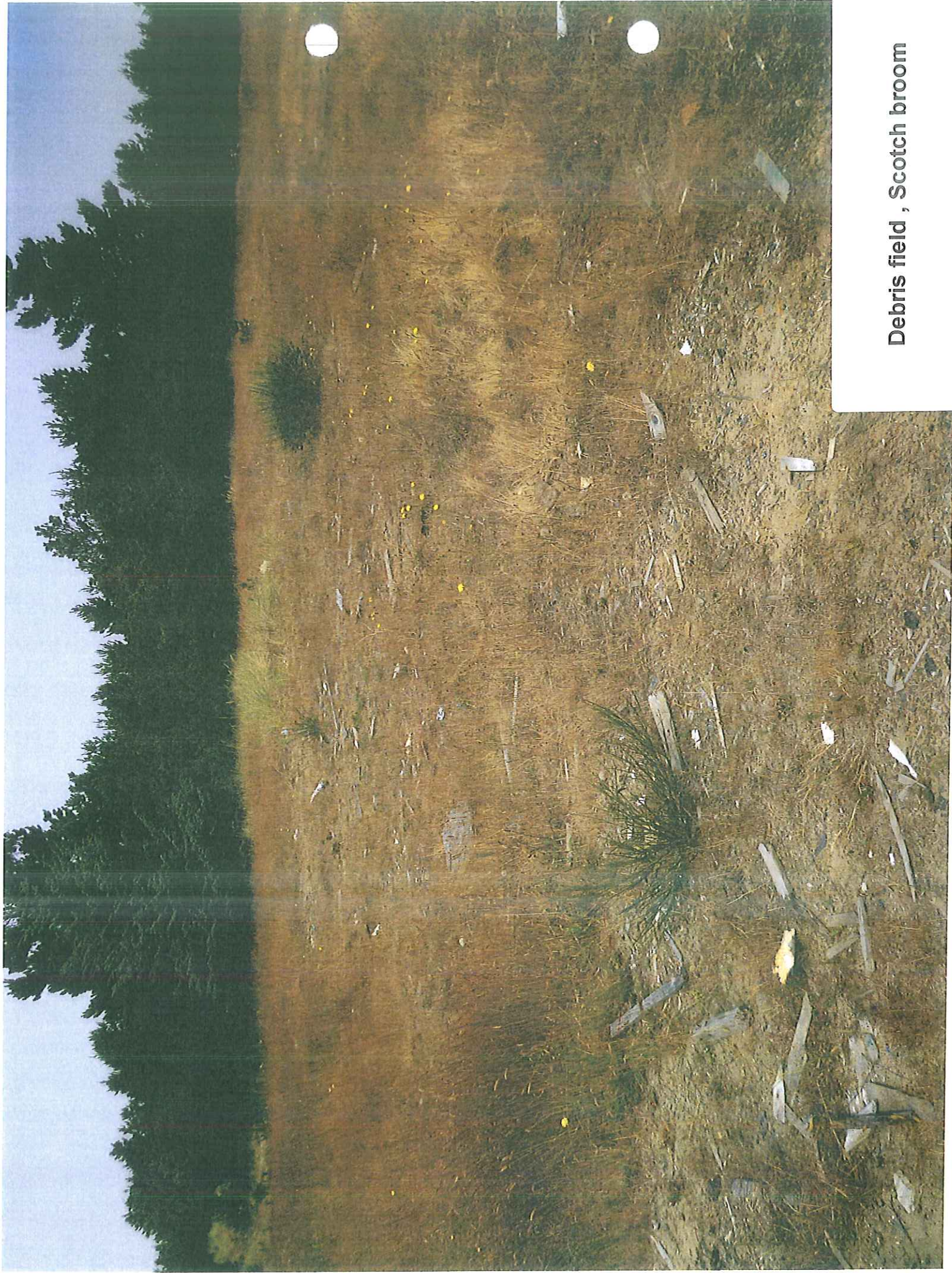
All actual costs and expenses of abatement incurred by the City may be assessed against the Owner of the abated property named in this Notice and, further, failure to pay said costs may result in a lien against the property.

August 9, 2013
Date of Notice

Robert E. Andrew
Robert E. Andrew
Mayor, City of Long Beach



Case No. CE 2013-09
Sally Gilson, Trustee
Demolition Debris



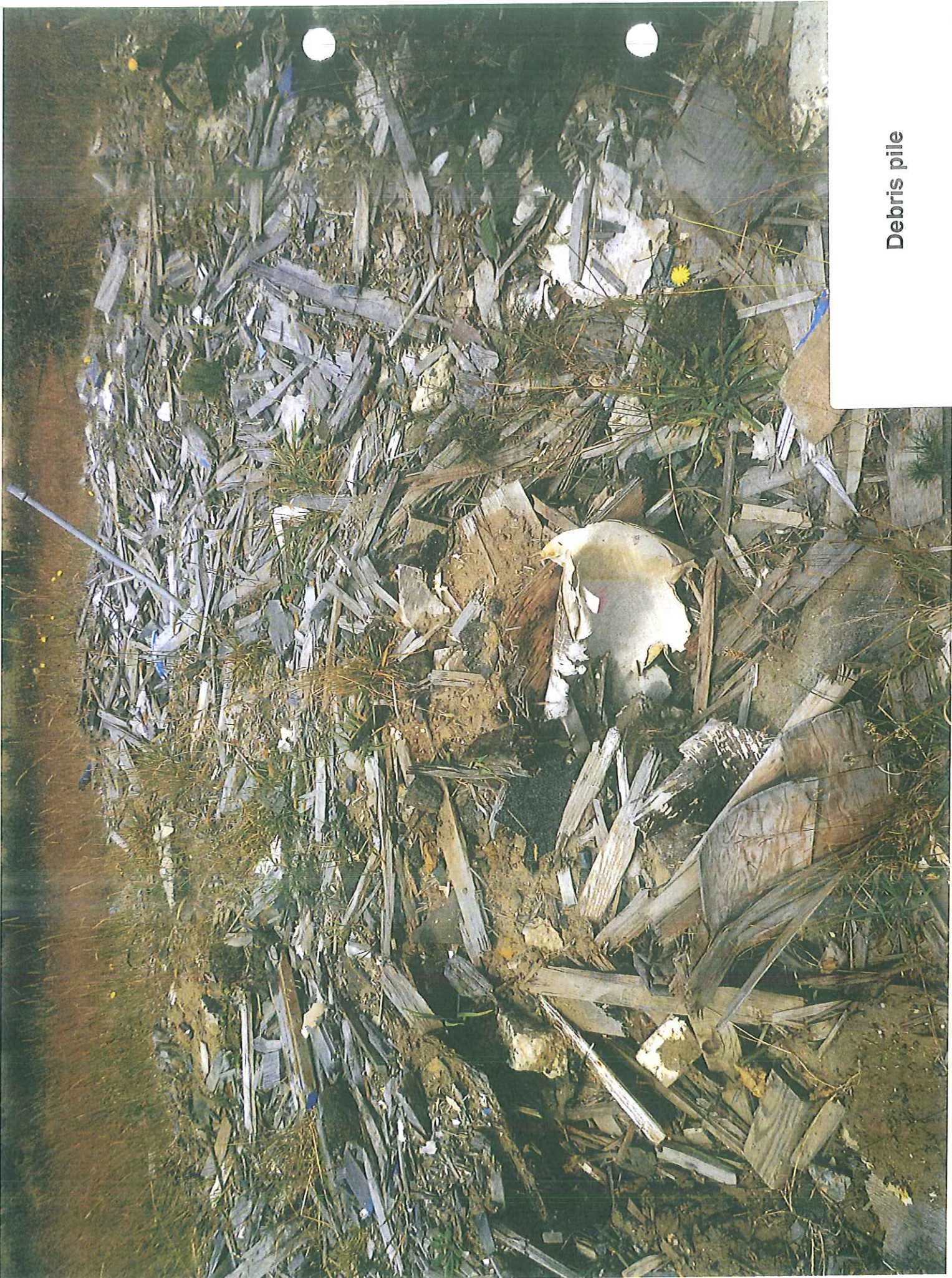
Debris field , Scotch broom



Debris field



Debris pile, looking west



Debris pile





Bruce Walker
County Assessor

Pacific County Assessor

300 Memorial Drive
PO Box 86
South Bend, WA 98586
Phone: (360)875-9301Property Summary [\(Appraisal Details\)](#)

Parcel Information

Parcel Number: 10111632080
Map Number: 101116 080 LB
Situs: 301 OCEAN BCH BLVD N
Legal:
Twp-Rge-Section 10111632

Ownership Information

Current Owner: GILSON, SALLY TRUSTEE
Address: 19528 VENTURA BLVD PMB 642
City, State: TARZANA, CA
Zipcode: 91356-

Assessment Data

Tax District: 34
Land Use/DOR Code: 91
Open Space:
Open Space Date:
Senior Exemption:
Deeded Acres: 0.69
Last Revaluation for (Reval)
Tax Year:

Market Value

Land: 200,000
Imp: 0
Perm Crop: 0
Total: 200,000

Taxable Value

Land: 200,000
Imp: 0
Perm Crop: 0
Total: 200,000

Sales History

Date	Book & Page	# Parcels	Grantor	Grantee	Price
09-19-2005	3085-871	3	DEUSEN, LOIS G	GILSON, SALLY TRUSTEE	500,000
06-16-2003	3063-301	4	DEUSEN, DALLAS-DEC'D	DEUSEN, LOIS G	

Building Permits

Permit No.	Date	Description	Amount
LB-090102	01/01/2009	BLDG DEMO	999

5 Year Valuation Information

Year	Billed Owner	Land	Impr.	PermCrop Value	Total	Exempt	Taxable	Taxes
2013	GILSON, SALLY TRUSTEE	200,000	0	0	200,000	0	200,000	View Taxes
2012	GILSON, SALLY TRUSTEE	200,000	0	0	200,000	0	200,000	View Taxes
2011	GILSON, SALLY TRUSTEE	200,000	0	0	200,000	0	200,000	View Taxes
2010	GILSON, SALLY TRUSTEE	200,000	0	0	200,000	0	200,000	View Taxes
2009	GILSON, SALLY TRUSTEE	200,000	0	0	200,000	0	200,000	View Taxes
2008	GILSON, SALLY TRUSTEE	200,000	0	0	200,000	0	200,000	View Taxes

Parcel Comments

Number	Comment
1	DEST PROPERTY, 2007 ALL BLDGS REMOVED, REMOVE VALUE OF \$50K FOR~2008-2010 TAXES~
2	BOE#20060363~

[Photos/Sketches](#)

Filedate: 8/7/2013 6:25:00 PM



Bruce Walker
County Assessor

Pacific County Assessor

300 Memorial Drive
PO Box 86
South Bend, WA 98586
Phone: (360)875-9301



Commercial Data Sheet

Parcel Information

Parcel Number: 10111632080
Map Number: 101116 080 LB
Situs: 301 OCEAN BCH BLVD N
Legal:

Ownership Information

Business Name:
Current Owner: GILSON, SALLY TRUSTEE
Address: 19528 VENTURA BLVD PMB 642
City, State: TARZANA, CA
Zipcode: 91356-

Lot Information

Topography:
Amenities:

Street Access:
Utilities:
Deeded Acres: 0.69

Lot Width: 100

Lot Depth:

Building Cost Approach Data

NO BUILDING COST APPROACH DATA FOUND

Refinement Cost Data

NO REFINEMENT RECORDS FOUND

[Photos/Sketches](#)

Filedate: 8/7/2013 6:25:00 PM

Terra Scan Inc

Bruce Walker
County Assessor

Pacific County Assessor

300 Memorial Drive
PO Box 86
South Bend, WA 98586
Phone: (360)875-9301Property Summary [\(Appraisal Details\)](#)

Parcel Information

Parcel Number: 10111632065
 Map Number: 101116 065 LB
 Situs: 308 OCEAN BCH BLVD N
 Legal:
 Twp-Rge-Section 10111632

Ownership Information

Current Owner: GILSON, SALLY TRUSTEE
 Address: 19528 VENTURA BLVD PMB 642
 City, State: TARZANA, CA
 Zipcode: 91356-

Assessment Data

Tax District: 34
 Land Use/DOR Code: 91
 Open Space:
 Open Space Date:
 Senior Exemption:
 Deeded Acres: 0.35
 Last Revaluation for {Reval}
 Tax Year:

Market Value

Land: 100,000
 Imp: 0
 Perm Crop: 0
 Total: 100,000

Taxable Value

Land: 100,000
 Imp: 0
 Perm Crop: 0
 Total: 100,000

Sales History

Date	Book & Page	# Parcels	Grantor	Grantee	Price
09-19-2005	3085-871	3	DEUSEN, LOIS G	GILSON, SALLY TRUSTEE	500,000
06-16-2003	3063-301	4	DEUSEN, DALLAS-DEC'D	DEUSEN, LOIS G	

Building Permits

NO ACTIVE PERMITS

5 Year Valuation Information

Year	Billed Owner	Land	Impr.	PermCrop Value	Total	Exempt	Taxable	Taxes
2013	GILSON, SALLY TRUSTEE	100,000	0	0	100,000	0	100,000	View Taxes
2012	GILSON, SALLY TRUSTEE	100,000	0	0	100,000	0	100,000	View Taxes
2011	GILSON, SALLY TRUSTEE	100,000	0	0	100,000	0	100,000	View Taxes
2010	GILSON, SALLY TRUSTEE	100,000	0	0	100,000	0	100,000	View Taxes
2009	GILSON, SALLY TRUSTEE	100,000	0	0	100,000	0	100,000	View Taxes
2008	GILSON, SALLY TRUSTEE	100,000	0	0	100,000	0	100,000	View Taxes

Parcel Comments

Number	Comment
1	CASE #12257 WUB~
2	BOE#20060362~

Filedate: 8/7/2013 6:25:00 PM

Terra Scan Inc



Bruce Walker
County Assessor

Pacific County Assessor

300 Memorial Drive
PO Box 86
South Bend, WA 98586
Phone: (360)875-9301



Property Summary [\(Appraisal Details\)](#)

Parcel Information

Parcel Number: 10111623061
Map Number: 101116 061 LB
Situs: 308 OCEAN BCH BLVD N
Legal:
Twp-Rge-Section 10111623

Ownership Information

Current Owner: GILSON, SALLY TRUSTEE
Address: 19528 VENTURA BLVD PMB 642
City, State: TARZANA, CA
Zipcode: 91356-

Assessment Data

Tax District: 34
Land Use/DOR Code: 91
Open Space:
Open Space Date:
Senior Exemption:
Deeded Acres: 0.35
Last Revaluation for {Reval}
Tax Year:

Market Value

Land: 100,000
Imp: 0
Perm Crop: 0
Total: 100,000

Taxable Value

Land: 100,000
Imp: 0
Perm Crop: 0
Total: 100,000

Sales History

Date	Book & Page	# Parcels	Grantor	Grantee	Price
09-19-2005	3085-871	3	DEUSEN, LOIS G	GILSON, SALLY TRUSTEE	500,000
06-16-2003	3063-301	4	DEUSEN, DALLAS-DEC'D	DEUSEN, LOIS G	

Building Permits

NO ACTIVE PERMITS

5 Year Valuation Information

Year	Billed Owner	Land	Impr.	PermCrop Value	Total	Exempt	Taxable	Taxes
2013	GILSON, SALLY TRUSTEE	100,000	0	0	100,000	0	100,000	View Taxes
2012	GILSON, SALLY TRUSTEE	100,000	0	0	100,000	0	100,000	View Taxes
2011	GILSON, SALLY TRUSTEE	100,000	0	0	100,000	0	100,000	View Taxes
2010	GILSON, SALLY TRUSTEE	100,000		0	100,000	0	100,000	View Taxes
2009	GILSON, SALLY TRUSTEE	100,000		0	100,000	0	100,000	View Taxes
2008	GILSON, SALLY TRUSTEE	100,000		0	100,000	0	100,000	View Taxes

Parcel Comments

Number	Comment
1	CASE #12257 WUB~
2	DEST PROP, 2007 ALL BLDGS REMOVED, VALUE OF \$50K REMOVED FOR 2008--2010 TAXES~
3	BOE#20060361~

[Photos/Sketches](#)

Filedate: 8/7/2013 6:25:00 PM

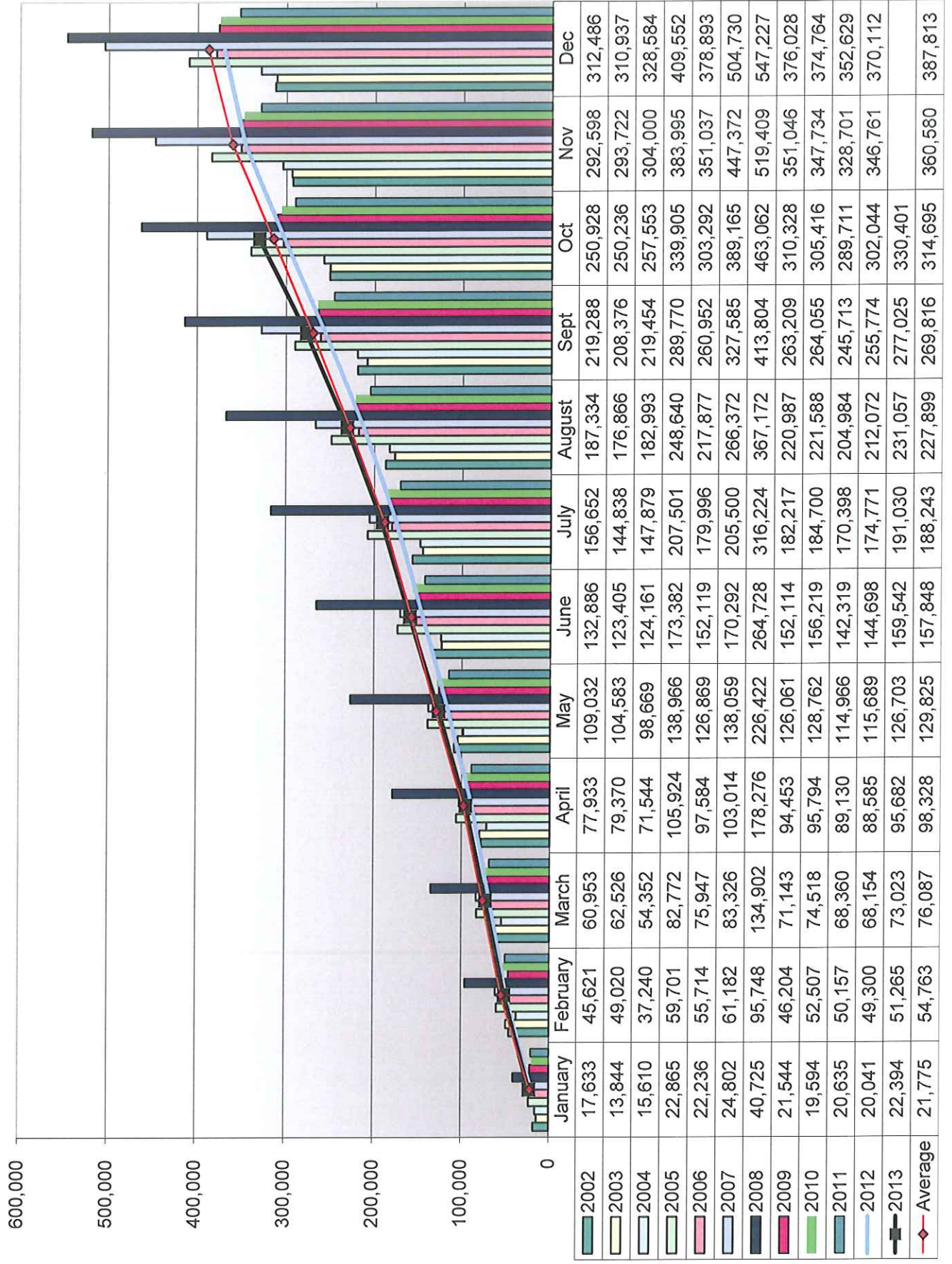
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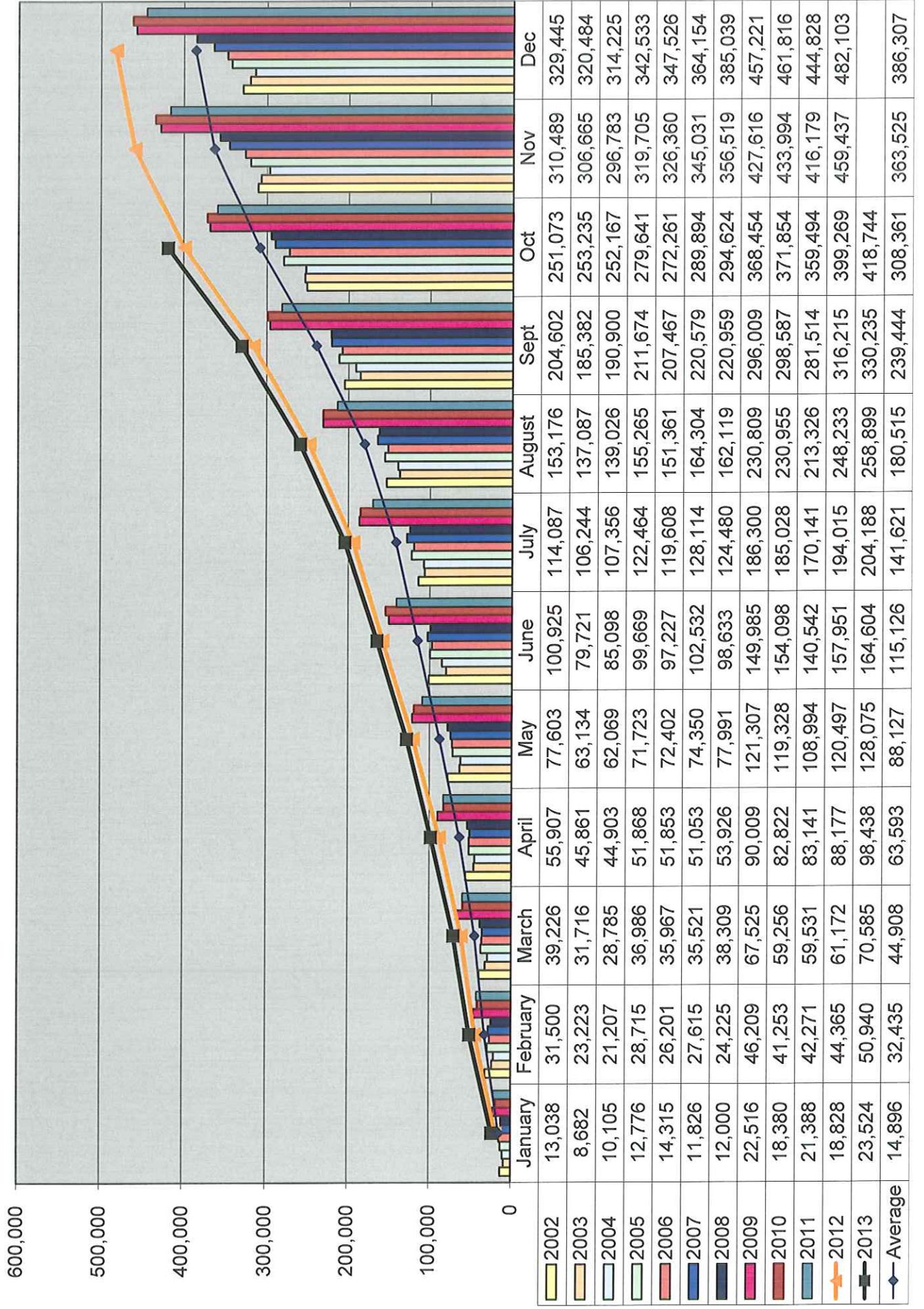
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Sales Tax Collections



Lodging Tax Collections



City of Long Beach
Department of Community Development

Memo

To: City Council

From: Gayle Borchard

CC: Doug Goelz
file

Date: October 22, 2013

RE: Use of All Terrain Vehicles / Off Road Vehicles (ATVs / ORV) on Long Beach Streets

Staff has reviewed Engrossed Substitute House Bill 1632, which was made effective June 28, 2013. This law puts forth regulations regarding the use of ATVs (also known as ORVs) on public streets. David Glasson has attended at least one meeting regarding this new law with Pacific County and other Pacific County city officials. Councilors recently received a PowerPoint presentation on their packet of October 21, 2013 on this matter.

This memo includes my thoughts on this law, any issues I see resulting from the new law, and in some cases ideas on how to address any issue.

Major issues include the following:

1. Section 5 reads as follows: A new section is added to chapter 46.09 RCW under the subchapter heading "registrations and use permits" to read as follows:

(1) A person may not operate a wheeled all-terrain vehicle upon a public roadway of this state, not including nonhighway roads and trails, without (a) first obtaining a valid driver's license issued to Washington residents in compliance with chapter 46.20 RCW or (b) possessing a valid driver's license issued by the state of the person's residence if the person is a nonresident.

This appears to require a valid driver's license for operation of an ATV on City streets. However, the laws also includes the following language:

2. Sec. 16. RCW 46.09.460 and 2005 c 213 s 5 are each amended to read as follows:

(1) Except as specified in subsection (2) of this section, no person under ~~((thirteen))~~ sixteen years of age may operate an off-road vehicle on or across a highway or nonhighway road in this state without direct supervision of a person eighteen years of age or older possessing a valid license to operate a motor vehicle under chapter 14 46.20 RCW. This prohibition does not apply when a person under sixteen years of age is acting in accordance with RCW 46.09.420 (5) and (7).

(2) Persons under ~~((thirteen))~~ sixteen years of age may operate an off-road vehicle across a highway, if at that crossing signs indicate that wheeled all-terrain vehicles or off-road vehicles may be crossing, or on a nonhighway road designated for off-road vehicle use, under the direct supervision of a person eighteen years of age or older possessing a valid license to operate a motor vehicle under chapter 22 46.20 RCW.

This appears to allow anyone of any age to drive an ATV on City streets, as long as a licensed adult is present to guide those younger than 16. It appears to conflict with the previous section that requires a license. I recommend the City require that only licensed drivers be allowed on our streets. We can tighten up State requirements, but not make ours more lax.

3. Sec. 6. A new section is added to chapter 46.09 RCW under the subchapter heading "uses and violations" to read as follows:

A person may operate a wheeled all-terrain vehicle upon any public roadway of this state, not including nonhighway roads and trails, having a speed limit of thirty-five miles per hour or less subject to the following restrictions and requirements: (a) A person may not operate a wheeled all-terrain vehicle upon state highways that are listed in chapter 47.17 RCW **[Note to LB Councilors: This includes SR 103.];** however, a person may operate a wheeled all-terrain vehicle upon a segment of a state highway listed in chapter 47.17 RCW if the segment is within the limits of a city or town and the speed limit on the segment is thirty-five miles per hour or less **[Note to LB Councilors: Oops, that puts SR 103 back in the running as a road open to ATV travel.]**

We must carefully consider where to allow non-auto vehicles to cross SR 103, and we should not allow any non-auto vehicle to travel on the highway, if we have any say-so.

4. We currently have trouble keeping drivers out of the dunes, and staff does not want to see ATVs ripping and tearing through what has been a peaceful dune setting well-shared by walkers, bikers, clambers, horse people, and other recreationalists.

In my opinion this has potential to be an enforcement issue for LBPd; Council should confirm or refute staff's opinion with the Police Chief.

5. The beach has been traditionally used by horse people, and I do not know enough about ATVs and horses to know if they will mix, but again see potential for trouble.

This may be the case of one recreational user type interfering with the enjoyment of another. It may just be something to watch out for, but possibly the horse community who have historically used the beach should be consulted.

6. If we allow ATVs in town, then I'd like to re-investigate the use of street-legal golf carts on the same routes as we allow ATVs.

Why one and not the other?

7. The City will have to pay for route and highway crossing signage. I don't see much in the law that allows us to collect fees to pay for that. It is essentially an unfunded mandate.

I don't have a solution for this, but wonder if we must sign only the allowable routes or sign everywhere ATVs are not allowed as well (that is, so we sign every allowable street crossing or every disallowed street crossing, etc.).

8. Just in general terms, and to conclude, ATVs were not designed to travel on public roads and highways (unlike some golf cars, which are street legal), and we must carefully think through how to comply with the law, keep our streets safe, and protect vehicle operators and other recreationalists from one and other and sometimes from themselves. At the same time we want to be welcoming to a wide spectrum of visitor types and allow what enjoyments are reasonable in a place whose very purpose is to encourage people to have fun and to recreate.

HOUSE BILL REPORT

ESHB 1632

As Passed Legislature

Title: An act relating to regulating the use of off-road vehicles in certain areas.

Brief Description: Regulating the use of off-road vehicles in certain areas.

Sponsors: House Committee on Transportation (originally sponsored by Representatives Shea, Blake, Kristiansen, Sells, Warnick, Upthegrove, Wilcox, Scott, Moscoso, Fagan and Condotta).

Brief History:

Committee Activity:

Transportation: 2/11/13, 2/28/13 [DPS].

Floor Activity:

Passed House: 6/28/13, 81-11.

Passed Senate: 6/29/13, 39-5.

Passed Legislature.

Brief Summary of Engrossed Substitute Bill

- Establishes a definition for "wheeled all-terrain vehicle" along with operator, equipment, and registration requirements and related exemptions.
- Establishes locations in which the wheeled all-terrain vehicle may be operated.
- Implements new tag and tab requirements for wheeled all-terrain vehicles.
- Establishes documentation for required equipment installations for a wheeled all-terrain vehicle.
- Established operator requirements for wheeled all-terrain vehicles.
- Creates the Multiuse Roadway Safety Account.
- Clarifies that local land management requirements must be followed and implements a process for the operator to receive a citation with or without law enforcement presence.
- Clarifies when off-road vehicle (ORV) registrations and decals are not required for ORVs.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

- Increases the age of a person from 13 to 16 years of age that may operate an ORV on or across a highway or non-highway road.
- Adds definitions for "primitive road" to the definitions of a non-highway road, direct supervision, and emergency management.
- Designates that a county by ordinance may designate a road or highway within its boundaries to be suitable for use by ORVs.
- Designates that a city or town with less than 3,000 in population may, by ordinance, designate a road or highway to be suitable for use by ORVs.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 22 members: Representatives Clibborn, Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel, Farrell, Fitzgibbon, Hayes, Johnson, Kochmar, Kretz, Kristiansen, Moeller, Morris, O'Ban, Riccelli, Rodne, Sells, Shea, Upthegrove and Zeiger.

Minority Report: Do not pass. Signed by 8 members: Representatives Fey, Vice Chair; Liias, Vice Chair; Bergquist, Habib, Klippert, Ryu, Takko and Tarleton.

Staff: Jerry Long (786-7306).

Background:

Off-road vehicles (ORV) are labeled by the manufacturer's statement or certificate of origin as intended for "off-road use." The ORVs must display a current ORV tag that is purchased for \$18. The Department of Licensing (DOL) issues the registrations and temporary-use permits for ORVs and issues the ORV decals for a fee that covers the actual cost of the decal. The DOL retains enough money to cover expenses incurred in the administration of the ORV fee and the remaining funds are distributed for off-road recreational facilities.

Any out-of-state operator of an ORV must have their ORV registered in the state that they are a resident of or obtain a temporary ORV-use permit. The operator must be 13 years old to operate. Persons under 13 years old may operate the ORV under the direct supervision of a person 18 years or older who possesses a valid driver's license.

It is lawful to operate an ORV on a non-highway road if the state, federal, local, or private authority responsible for the management of the non-highway road authorizes the use of ORVs on that road.

If a person operating an ORV is in violation of one of the operator behavior or equipment requirement items listed in the ORV statutes, the fine is a traffic infraction. These infractions are treated as any other motor vehicle traffic infraction.

A person may operate, with a valid driver's license and a motorcycle endorsement, an off-road motorcycle (not including wheeled all-terrain vehicles) upon a public road, street, or highway in Washington, if the person complies with the following requirements:

- files a motorcycle-use declaration, in which the DOL certifies conformance with all applicable federal motor vehicle safety standards and state standards;
- obtains and has in full force and effect a current and proper ORV registration or temporary ORV-use permit;
- obtains a valid driver's license and motorcycle endorsement issued to Washington residents; and
- installs various outlined motorcycle components, if not already present on the off-road motorcycle, which include a head lamp, a tail lamp, reflectors, brakes, a mirror on both the left and right handlebars, a windshield (unless the operator is wearing eye protection), a horn or warning device, turn signals, tires, and fenders.

The off-road motorcycle must be inspected by a Washington motorcycle repair shop or motorcycle dealer who must certify that it meets the equipment requirements.

The owner of the off-road motorcycle must sign a release that releases Washington from any liability.

Currently any city, county, or other political subdivision of the State of Washington, or any state agency, may regulate the operation of non-highway vehicles on public lands, waters, and other properties under its jurisdiction; and on streets, roads, or highways within its boundaries by adopting regulations or ordinances, provided such regulations are not less stringent than the provisions of state laws.

A legislative body of a city with a population of less than 3,000 in population, may by ordinance, designate a street or highway within its boundaries to be suitable for use by ORVs. The legislative body of a county may, by ordinance, designate a road or highway within its boundaries to be suitable for use by ORVs if the road or highway is a direct connection between a city with a population of less than 3,000 and an ORV recreation facility.

Summary of Engrossed Substitute Bill:

Wheeled All-terrain Vehicles.

The bill provides an intent statement to standardize ORV rules, open up certain roadways to wheeled all-terrain vehicles, and stimulate economic activity.

The bill provides definitions for "primitive road", "direct supervision", "emergency management", and "wheeled all-terrain vehicle".

The bill provides rules regarding the registration of wheeled all-terrain vehicles as follows. *Every* wheeled all-terrain vehicle operated within this state unless exempt must obtain a metal tag from the DOL for \$18 and display that metal tag on the rear of the vehicle along with an off-road tab in the bottom left corner. For wheeled all-terrain vehicles *operated upon public roadways*, the operator must also have a proper vehicle registration, pay the annual license fee of \$30, and display a bright colored decal in the bottom right corner of the tag

indicating the vehicle is road legal. For wheeled all-terrain vehicles *operated off-road only*, the operator must have a proper ORV registration (\$18) or temporary use permit.

Cost Breakdown:

Every wheeled all-terrain vehicle must pay a one-time cost of \$18 for the metal tag plus:

- The annual cost to operate off-road of \$18 for registration or \$10.75 for a temporary use permit. The revenue is deposited into the Non-highway and Off-road Vehicle Activities Program Account.
- The annual cost to operate on public roadways, which is \$12 for a "road legal decal" plus an \$18 licensing fee, equaling \$30. The \$12 is deposited to the Multiuse Roadway Safety Account, created under section 10 and the \$18 is deposited to the Non-highway and Off-road Vehicle Activities Program Account.
- The metal tag must be replaced every seven years at a cost of \$2 and the revenue is deposited into the Non-highway and Off-road Vehicle Activities Program Account.

The bill directs the DOL to design the metal tag and be the same size as a motorcycle license plate.

The bill restricts a wheeled all-terrain vehicle from being used for commercial use.

The bill requires a person to have a valid driver's license to operate a wheeled all-terrain vehicle on a public roadway. A person who operates a wheeled all-terrain vehicle must follow the motorcycle rules except that wheeled all-terrain vehicles cannot be operated side by side in a single lane of traffic.

A violation of this section is a traffic infraction.

The DOL may develop and implement, along with rules, an online training course for people that register wheeled all-terrain and utility type vehicles for use on a public roadway.

Any future costs associated with the training course must be appropriated from the Highway Safety Account and any fees collected must be deposited to the Highway Safety Account.

The bill provides that the public roadways a wheeled all-terrain vehicle may operate upon include public roadways of the state, not including non-highway roads and trails:

The bill authorizes wheeled all-terrain vehicles to operate on a public roadway, not including non highway roads and trails, under the following conditions:

- in a county with a population of 15,000 or more if the county by ordinance has approved the operation of wheeled all-terrain vehicles on the county roadways;
- in a county with less than 15,000 in population unless the county has designated roadways or highways within its boundaries to be unsuitable for use by wheeled all-terrain vehicles; and
- in a city or town providing that the city or town by ordinance has approved the operation of wheeled all-terrain vehicles on city or town roadways.

- This section does not affect any roadway designated as open or closed as of January 1, 2013.

City, town or county roadways authorized or deemed unsuitable for use by wheeled all-terrain vehicles must be listed publicly and accessible from the county, city or town's webpage.

Any person who operates on a public roadway in violation of the rules above commits a traffic infraction. Accidents must be recorded and tracked in a separate category.

Local authorities may not establish additional requirements for registration of wheeled all-terrain vehicles.

A person may operate a wheeled all-terrain vehicle on a public roadway, trail, non-highway road or highway in the state while being used under the authority of direction of an appropriate agency that engages in emergency management.

A wheeled all -terrain vehicle is an ORV for the purposes of recreation immunity.

The bill provides equipment requirements for a wheeled all-terrain vehicle including: (1) headlights; (2) a one tail lamp, except that utility-type vehicles must have two tail lamps; (3) a stop lamp; (4) reflectors; (5) turn signals if operating during hours of darkness; (6) a mirror attached to either the right or left handlebar, except that a utility-type vehicle must have two mirrors; (7) a windshield (unless the operator is wearing eye protection); (8) a horn or warning device; (9) brakes in working order; (10) a spark arrestor and muffler; and (11) seatbelts for utility-type vehicles. The equipment requirements do not apply to emergency service vehicles or vehicles used for agricultural or timber products.

A person who operates a wheeled all-terrain vehicle upon a roadway must provide a declaration that includes the following:

- Documentation of a safety inspection to be completed by a licensed wheeled all-terrain vehicle dealer or repair shop certified under oath that all wheeled all-terrain vehicle required equipment is installed. A false statement will commit a gross misdemeanor.
- Documentation that the dealer or repair shop did not charge more than \$50 for the inspection.
- A signed release that releases Washington from any liability.

The DOL must track wheeled all-terrain vehicles in a separate registration category for reporting purposes.

A person who operates a wheeled all-terrain vehicle in violation of operating rules or inconsistent with the emergency exemption is subject to a traffic infraction.

Any law enforcement officer may issue a traffic infraction whether or not the infraction was committed in the officer's presence, as long as there is reasonable evidence that the operator committed a violation.

The bill creates the Multi-Use Roadway Safety Account and provides that the \$30 registration fee for wheeled all-terrain vehicles used on public roadways must be deposited into this account. Funds from this account may be spent on: (1) safety engineering analysis; (2) signs to alert the motoring public that wheeled all-terrain vehicles may be present or crossing; or (3) law enforcement for purposes of defraying costs of enforcement involving wheeled all-terrain vehicles.

Off-road Vehicles.

The bill modifies rules regarding the operation of ORVs on public roads and clarifies that a wheeled all-terrain vehicle is not an ORV for purposes of this section.

The bill directs the DOL to issue metal tags and registrations for wheeled all-terrain vehicles.

The bill clarifies that the existing ORV registration does not apply to wheeled all-terrain vehicles registered for use on a public roadway.

The bill provides that the following vehicles are exempt from ORV registration and decal requirements: (1) ORVs operated on and across agricultural and timber lands; (2) ORVs used for emergency management; and (3) ORVs operated by persons rendering emergency assistance.

The bill provides that an ORV may operate on any trail, non-highway road, or highway while under the direction of emergency management, search and rescue, or law enforcement, within the scope of their official duties.

No person under 16 years of age may operate an ORV on or across a highway or non-highway road in this state without direct supervision of a person 18 years or older possessing a valid driver license. This restriction does not apply to emergency management or while rendering emergency assistance. Persons under 16 years of age may operate an ORV across a highway if, at the crossing, signs indicate that wheeled all-terrain vehicles or ORVs may be crossing. This section does not apply to vehicles used in the production of agricultural or timber products on and across lands owned, leased, or managed by the owner or operator of a wheeled all-terrain vehicle or the operator's employer.

Exempts ORV operators from the helmet requirement when used in the production of agricultural and timber products on and across lands owned, leased, or managed by the owner or operator's employer.

Expands the use of the funds collected for off-road vehicle registrations to include publically owned lands.

Administrative.

The bill establishes the \$12 initial and renewal fees for on-road use along with placing the \$18 ORV fee for initial and renewal in the vehicle registration fee statutes.

The bill exempts a wheeled all-terrain vehicle from the requirement to obtain motor vehicle liability insurance.

The bill codifies the gross misdemeanor in reference to a false statement in the equipment certification or declaration process.

The bill clarifies that the definition of a motor vehicle does not include wheeled all-terrain vehicles for purposes of regulating access to recreational lands.

The bill provides that the Multi-Use Roadway Safety Account is entitled to its investment earnings. Both sections reference the same statute, but are necessary of because of contingent effective dates.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect on July 28, 2013, except for section 3, which takes effect July 1, 2015, and section 25, which takes effect if the requirements set out in section 7, Chapter 36, Laws of 2012 are met.

Staff Summary of Public Testimony:

(In support) The bill brings balance between protecting the environment, providing increased opportunities for all-terrain vehicle usage, and promoting responsible ORV riding. A group of very dedicated people, from several interest groups, have devoted many hours to work together on this bill. There is a lot of confusion of where you can and cannot ride an ORV. This will enable our disabled veterans, disabled citizens, and older people to enjoy Washington. The metal tag concept is designed after Idaho's metal tag. The bill exempts timber and agriculture producers from the required equipment and operator requirements. The bill closes the gap by increasing the age from age 13 to 16 to operate an ORV without supervision, to line up with the age of 16 for a driver's license in the state. The bill clarifies the \$18 ORV fee still is deposited into the NOVA Account.

The on-road tab must be a bright color so that it can be seen from a reasonable distance. Cities, towns, and counties have options for opting in or out or designating roads as unsuitable for use by wheeled all-terrain vehicles.

This bill increases the ability for Washington to attract tourism dollars into the state. Since Reeder has been closed, there has been a drop of 55 percent in business in the surrounding area. There are very few ways to raise revenue for the state; this would raise revenues. By not having regulations that promote this type of activity, the existing regulations are sending dollars out of the state. People are not using their all-terrain vehicles in Washington, but are using them in other states like Idaho and Oregon. In the future, there will be the opportunity for electric all-terrain vehicles. These vehicles would only be allowed on roadways with a speed limit of under 35 miles per hour. This would be of great economic value to the City of Sultan.

The state all-terrain vehicle organization is in support of the bill and many people have been working on this issue for a long time. All parts of the bill have been discussed. Washington is losing tourist dollars and, if you talk with Idaho law enforcement, there have been very few

all-terrain vehicle issues in Idaho. The Washington State Patrol (WSP) would like additional equipment requirements for wheeled all-terrain vehicles.

Some day, it would be nice to have some of the non-highway roads opened up, many have been closed to ORVs for 40 years. The bill is very strict on the required equipment and requires a shop to inspect and certify that the equipment is within state and federal laws. The ORV users want to be safe.

It is appreciated that the bill does not include farms and there are no impacts to farmers.

In November all of the stakeholders were brought together to work on the bill. The bill increases all-terrain vehicle use, but also protects the environment. This bill creates something that benefits all stakeholders. The bill protects the backwoods, offering greater protection for those areas. If there is a problem, it provides time to investigate the problem. The metal tag provides a way to identify all-terrain vehicle operators that create damage and do not follow the rules. There has been lots of damage and abuse, but this will help people to use the land responsibly.

Dirt bikes with the required equipment and that are appropriately registered are already authorized to ride on roadways due to Senate Bill 5800.

(Neutral) The state has 2.1 million acres. This is one of the benefits of living in this state. Unless an ORV has an ORV permit, the ORV owner would need to have a Discover Pass to use the non-highway roads and trails in the state parks. If the ORV is for Search and Rescue, then no pass or ORV permit is required.

(With concerns) Counties have a concern with the opt-in and opt-out provisions.

(Opposed) The WSP appreciates the efforts of everybody, but it is very concerned, especially in regards to public safety. These vehicles are designed for off-road use only and do not have the equipment to be used for on-road use. Entrances coming onto a roadway may not be a formal entrance which puts the all-terrain vehicle operator and motorists at risk. There need to be signs at crossings. Many of the persons operating an ORV are unlicensed and untrained individuals. There are issues with the safety equipment and the fact that wheeled all-terrain vehicles will need two tail and brake lights due to being a wider vehicle. The agriculture and timber provisions are unclear.

It is necessary to have the operators trained on a wheeled all-terrain vehicle and have an endorsement. The operators need to know how the vehicle is going to react under certain conditions. There needs to be discussion on the definitions in the bill. This concept could expand to other vehicles like electric vehicles and other gas-related non-highway vehicles.

The Transportation Safety Commission has safety concerns with wheeled all-terrain vehicles being used on the roadways. One area the state has not seen a decrease is in motorcycle deaths. There is a chart and table that shows most accidents on motorcycles occur at low speeds. For ORVs there are four to five deaths per year.

The DOL recommends having a wheeled all-terrain endorsement on the driver's license. These vehicles are designated for on-road use and further conversation would be appreciated regarding House Bill 1632.

Persons Testifying: (In support) Representative Shea, prime sponsor; Linda Driscoll, Premier Polaris; Kenneth Walker, City of Sultan; Ken Irish; Ted Jackson; Gary Johnson, Gifford Pinchot Off Highway Vehicle Alliance; Patti Case, Green Diamond Resource Company; Tom Davis, Washington Farm Bureau; Gregg Bafundo, Trout Unlimited; Tisha Kennell, Back Country Hunters and Anglers; Mitch Freedman, Conservation Northwest; and Gary Prewitt, Eastern Washington All Terrain Vehicle Association.

(Neutral) Mark Mauran, Department of Natural Resources; and Susan Kavanaugh, Washington State Parks.

(With concerns) Gary Rowe, Washington State Association of Counties.

(Opposed) Steve Lind, Washington Traffic Safety Commission; Tony Simonti, Department of Licensing; and Rob Huss, Washington State Patrol.

Persons Signed In To Testify But Not Testifying: None.

Medical Marijuana Reform Starts!

Posted on October 22, 2013 by [Jim Doherty](#)



The first volley is now over the net! On October 21st, a work group composed of staff from three state agencies – the Department of Health, the Department of Revenue, and the Liquor Control Board – issued their **draft recommendations for regulating medical marijuana**. If you have reviewed the rules recently adopted for recreational marijuana, you'll see some similarities. The recommendations, when completed, will go to the legislature at the start of 2014.

Here are the main points:

1. Medical marijuana collective gardens and dispensaries (not actually authorized under current law) would be eliminated. Essentially, medical marijuana sales would be folded into the recreational marijuana system. Licensed retail marijuana stores with a state license endorsement could sell medical marijuana to authorized medical marijuana patients. Home-growing would not be permitted for medical marijuana patients.
2. A medical marijuana registry would be set up and maintained by the state. A far more rigorous health care professional process would be established to authorize a medical marijuana patient, and there would be required medical follow-up. Medical marijuana authorizations would expire after one year and would then need to be renewed.
3. Sales to medical marijuana patients would be exempt from the state/local retail sales and use tax. The excise taxes would be the same as for recreational marijuana. In essence, medical marijuana patients would get a break on the taxes.
4. Labeling of medical marijuana would include the levels of THC and cannabinoids. Some strains of marijuana grown specifically for their medical benefits have very little THC in them.
5. If a medical marijuana patient is under the age of 18, the child's parent or guardian would need to consent, and the child could not have more than one dose in their possession.

This is still early in the process. These recommendations are going to get talked about a lot, and vetted by the legislature. There will be lots of objections by the existing medical marijuana growers and sellers – they have built up their businesses (and profits) by squirming between the cracks in the law, running unregulated and untaxed businesses for quite some time. All those who wish to submit comments to the work group preparing these recommendations (medicalmarijuana@liq.wa.gov) must do so before November 9th.

These draft recommendations (or something similarly rigid) are necessary if the legislature wants to fully address the concerns of the Department of Justice, as expressed in the August 29th Cole memo. See **Marijuana – No Federal Roadblocks!**, *MRSC Insight*, 08/29/2013.

The work group recommendation is that these changes go into effect no sooner than January 1, 2015. The Liquor Control Board would open registration for additional applications for marijuana retailers, and possibly accommodate some of the existing medical marijuana dispensaries that are willing to transition to the regulated market. All marijuana businesses, recreational or medical, would need to meet the existing 1,000-foot buffer zone requirements.

Once medical marijuana collective gardens, dispensaries, and home grow operations are prohibited by state law, anyone growing marijuana or engaging in any marijuana marketing/retailing without a state-issued license would be violating the law and subject to prosecution.

For further information on recreational and medical marijuana go to MRSC's [Recreational Marijuana: A Local Government Guide](#).



Washington State Liquor Control Board

DRAFT Recommendations of the Medical Marijuana Work Group

Budget Proviso Language: 3ESSB 5034 Sec. 141(2):

(a) The liquor control board must work with the department of health and the department of revenue to develop recommendations for the legislature regarding the interaction of medical marijuana regulations and the provisions of Initiative Measure No. 502. At a minimum, the recommendations must include provisions addressing the following:

- (i) Age limits;
- (ii) Authorizing requirements for medical marijuana;
- (iii) Regulations regarding health care professionals;
- (iv) Collective gardens;
- (v) Possession amounts;
- (vi) Location requirements;
- (vii) Requirements for medical marijuana producing, processing and retail licensing; and
- (viii) Taxation of medical marijuana in relation to recreational marijuana.

(b) The board must submit its recommendations to the appropriate committees of the legislature by January 1, 2014.

1. Age limits

- Adults 18 to 20 years old should be allowed access to medical marijuana with proper authorization from a health care professional.
- Children 17 years old or younger should be allowed access to medical marijuana with parent or guardian consent to the authorization. The parent or guardian should participate in the child's treatment.
- Authorizing health care professionals should be required to engage in frequent re-examination and follow-up with a child patient and communication with the parent or guardian. The authorizing health care professional should also be required to consult with other health care providers involved in the child's treatment before authorization or reauthorization of medical marijuana.
- The child's parent or guardian should be required to act as the child's designated provider and be entered in the registry as such.
- The parent or guardian should have sole control over the child's medical marijuana. The child should be allowed to possess no more medical marijuana than necessary for his or her next dose.
- Medical marijuana consumed in a school setting should be held and administered by school personnel in the same manner as any other medication. Consistent with current law, schools should not be compelled to accommodate on-site use of medical marijuana on school grounds or school buses.
- Medical marijuana products should be prohibited from being labeled in a manner that mimics candy, soda or other treats attractive to children.

Under I-502:

A person must be 21 years old to legally possess marijuana, to hold a marijuana license or enter a licensed marijuana premise.

2. Authorizing requirements for medical marijuana

- A mandatory patient and designated provider registry should be established and maintained by the Department of Health.
- The registry should be mandatory for all patients as a condition of receiving an authorization.

- The registry should be used to determine eligibility for exemption from state and local retail sales and use taxes on marijuana purchases by qualified patients.
- Designated providers should be required to participate in the registry in conjunction with the patient.
- Patient and designated provider information should be entered into the registry by the authorizing health care professional. The information must contain sufficient unique identifiers (Washington driver's license or identification card number or social security number) to ensure accurate identification of the patient or designated provider.
- Registration should expire annually and the patient or designated provider may be re-entered in the registry only after a new or follow-up examination.
- Cards should be issued from the registry to identify patients and designated providers.
- The registry should be available to law enforcement and to the Department of Revenue as necessary to verify tax-exempt purchases under Title 82 RCW.
- Disciplining authorities for the health care professions allowed to authorize medical marijuana should have access to the registry to monitor compliance by their licensees.
- Consistent and reliable funding must be provided to establish and maintain the registry.
- The registry should contain sufficient security features to protect patient privacy. Information in the registry that could identify patients should be excluded from public disclosure.
- All existing authorizations should expire on a date certain to coincide with full implementation of the registry and retail market. All patients with existing authorizations would need to be re-evaluated by a health care professional pursuant to the revised standards and placed in the registry within a designated timeframe.

Under I-502:

N/A

3. Regulations regarding health care professionals

- Define "debilitating" and "intractable pain" to clearly indicate the condition must be severe enough to significantly interfere with the patient's activities of daily living and ability to function, and can be objectively assessed and evaluated.
- Enact comprehensive requirements defining the standard of care for health care professionals who authorize medical marijuana similar to those required by ESHB 2876 (2010) regarding the use of opioids to manage chronic pain. The requirements should address topics such as adequacy of examination, follow-up care and recording keeping.
- Restrict a health care professional's practice to ensure it does not consist primarily of authorizing medical marijuana.
- Require a permanent physical location for a health care professional's place of practice.
- Require in person examinations for authorizations.
- Require an expiration of authorizations to ensure a regular cycle of re-examination and follow-up care.
- Eliminate the provision allowing for petitions to add qualifying conditions. Patients with conditions other than those already authorized can follow the legislative process to change the law and can avail themselves of the recreational marijuana market until such time as the law is changed. In the alternative, amend the petition provision to allow the Medical Quality Assurance Commission to make a preliminary finding of good cause prior to holding a hearing and expand the time frame for the hearing to be completed.

Under I-502:

N/A

4. Collective gardens

Eliminate Collective Gardens.

Under I-502:

N/A

5. Possession amounts

- Reduce the amount a qualified patient or designated provider can possess at any given time from twenty-four ounces of useable marijuana (a sixty day supply) to three ounces (a one week supply).
- Allow additional limits for marijuana infused products in solid or liquid form.
- Eliminate home grows and the ability for a qualified patient or designated provider to possess marijuana plants in any stage of growth. Define "plant" to avoid any misconstruction of this provision.
- Eliminate the ability for designated providers to also be qualified patients and thus possess double the legal limit of medical marijuana.
- Require labeling to include the levels of tetrahydrocannabinol (THC) and cannabinoids in medical marijuana products.
- Restrict labeling and marketing of medical marijuana products to ensure that they are not intentionally attractive to minors or recreational users.
- Eliminate the provision in RCW 69.51A.045 that grants qualified patients or designated providers an affirmative defense to criminal charges of possession above the legal amount if they can prove at trial the patient's necessary medical use exceeds the amount determined in law.

Under I-502:

One ounce of useable marijuana; 16 ounces of marijuana infused product in solid form; or 72 ounces of marijuana infused product in liquid form.

6. Location requirements

Not applicable because only current I-502 licensed retail stores may sell marijuana and accept medical marijuana authorization cards.

Under I-502: Medical marijuana licensed business cannot be within one thousand feet of the perimeter of the grounds of any of the following entities:

1. Elementary or secondary school;
2. Playground;
3. Recreational center or facility;
4. Child care center;
5. Public park;
6. Public transit center;
7. Library; or
8. Any game arcade where admission is not restricted to persons age twenty-one or older.

7. Requirements for medical marijuana producing, processing and retail licensing

A single system for medical and recreational producer and processor licenses. Only recreational marijuana stores with an endorsement may accept medical marijuana authorization cards. Make the new regulatory system for medical marijuana effective no sooner than January 1, 2015.

Under I-502:

1. Three separate license tiers: producer, processor and retailer;
2. A licensee may hold both a producer and processor license simultaneously, but not a retailer license;
3. Open registration for all license types for a 30-day window;
4. Three month state residency requirement to qualify for a license;
5. Personal criminal history, fingerprint and background checks of applicants;
6. Point system for all arrests and/or convictions;
7. License limits;
8. Production limits; and
9. Maximum allowable amount of marijuana on licensed locations.

8. Taxation of medical marijuana in relation to recreational marijuana

Utilize the same tax structure as recreational marijuana, but provide an exemption from state and local retail sales and use taxes on purchases by medical marijuana patients registered with the Department of Health.

Under I-502:

1. Producers
 - a. Pay 25% excise tax on wholesale sales
 - b. Pay B&O tax as wholesaler
2. Processors
 - a. Pay 25% excise tax on wholesale sales
 - b. Pay B&O tax as manufacturer
3. Retailers
 - a. Pay 25% excise tax on retail sales
 - b. Pay B&O tax as retailer
 - c. Collect state/local retail sales & use tax
4. Retail Buyers
 - a. Pay state/local retail sales & use tax

Report: AGY064P2
710-LBL BLSD020

State of Washington
Business Licensing Service
Agency Requirements Document (ARD)

Date: 10 09 2013
Page: 1

LONG BEACH GENERAL BUSINESS

New Application / Final

Business Structure: Sole Proprietor

UBI Number : 603 339 680 001 0001
Application ID : 2013 282 4370
Application Received Date: 10 09 2013

Legal Entity Name : BETTY CLOSE

Firm Name : FLEES R US
Fees : \$125.00
Expiration Date: 10 31 2014

Location Phone/FAX: (509) 961-1071

(000) 000-0000

First Date of Business: 10 12 2013

Location Address : 27611 Y PL
OCEAN PARK WA 98640 4550

Mail Addr: PO BOX 1265
OCEAN PARK WA 98640 1265

In City Limits: Y

Product/Serv Desc: Wholesale, Retail

Wholesale, Retail KOREAN MINK BLANKETS AND OTHER NOVELTIES

Operator Comments:

Previous Business License: N

Square Footage: 0
Applying as Non Profit Business: N
501(C) Received: -

Email Address: golfer_1949@live.com

Additional Business Activities:

Account Status: Pending Approval

Zoning	HA	10/16/13	Fire	Date
Building			Police	Date
Finance			Planning	Date
Comments:				

Report: AGY064P2
710-LBL BLSD020

State of Washington
Business Licensing Service
Agency Requirements Document (ARD)

Date: 10 07 2013
Page: 1

LONG BEACH GENERAL BUSINESS

New Application / Final

Business Structure: LLC

UBI Number : 603 338 984 001 0001
Application ID : 2013 280 4447
Application Received Date: 10 07 2013

Legal Entity Name : WALLS SOLUTIONS LIMITED LIABILITY COMPANY

Firm Name : WALLS SOLUTIONS, LLC

Fees : \$125.00
Expiration Date: 10 31 2014

Location Phone/FAX: (360) 783-2539

Business Open Date: 10 01 2013

Location Address : 1603 PACIFIC AVE N
LONG BEACH WA 98631 3579

Mail Addr: PO BOX 540
SEAVIEW WA 98644 0540

In City Limits: Y

Product/Serv Desc: Retail, Services

Retail, Services SECURITY AND LAUNDROMAT

Operator Comments:

Previous Business License: Y

Square Footage: 2000

Applying as Non Profit Business: N
501(C) Received: -

Conducting Business From Residence: N

Hazardous/Flammable Materials: N

Emergency Contact 1: ANDREW RALPH WALLS

(360) 723-2539

Emergency Contact 2: SHILEY MARIE WALLS

(360) 783-2222

Email Address: aarunnerr@yahoo.com

Additional Business Activities:

Account Status: Pending Approval

-	Zoning	RC	6P	10/16/13	Date
-	Building				Date
-	Finance				Date
-	Comments:				Date

-	Fire				Date
-	Police				Date
-	Planning				Date

Existing business owner
existing location